

ITEM 5.1

CITY MANAGER'S REPORT JULY 8, 2024 CITY COUNCIL REGULAR MEETING

ITEM: PUBLIC HEARING (PUBLISHED NOTICE) TO CONSIDER A GENERAL PLAN AMENDMENT, PRE-ZONE, CONDITIONAL USE PERMIT, SITE PLAN REVIEW, AND ANNEXATION FOR THE SINGH PETROLEUM PROJECT

RECOMMENDATION: Council to Consider the Following:

1. Hold a Public Hearing;
2. Adopt a Resolution Certifying the Final Environmental Impact Report (FEIR) (SCH# 2022120596), CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project;
3. Adopt a Resolution Approving a General Plan Amendment of APN: 191-250-06 to FC, Freeway Commercial (GPA-20-60);
4. Introduce and Conduct First Reading of an Ordinance for Zoning Map Amendment related to the Pre-Zoning of the Subject Annexation Area (REZ-20-61);
5. Adopt a Resolution to Approve a Conditional Use Permit and Site Plan Review to Allow for the Development of a Travel Plaza on the Subject Properties (CUP-20-62 and SPR-20-63); and
6. Adopt a Resolution to Direct Staff to File an Application with San Joaquin Local Agency Formation Commission for the Annexation of 22.42-acres (ANX-20-64).

SUMMARY:

The applicant, Singh Petroleum Investments, Inc., is requesting approval of the Singh Petroleum Project and associated entitlements. The proposed project consists of annexation of 22.42-acres of land and the development of a combined 19.63-acre project site, located at the southwest corner of the Roth Road and S. Manthey Road intersection, west of Interstate 5. The proposed project includes Certification of a Final Environmental Impact Report (FEIR), General Plan Amendment (GPA-20-60), Pre-Zone (REZ-20-61), Conditional Use Permit (CUP-20-62), Site Plan Review (SPR-20-63), and Annexation (ANX-20-64).

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The proposed project includes the development of regional travel serving uses constructed in 2 phases consisting of gas and diesel fueling facilities for passenger and commercial vehicles, a 16,668 sq. ft. travel center building that includes 2 Quick Service Restaurants (QSR) with 1 drive-through, a 13,846 sq. ft. 4-bay full service truck and automobile repair facility, and off-street parking for motorists and commercial truck operators. The proposed project would result in the annexation of 2 properties (APNs: 191-250-06 and 191-250-14) that total approximately 22.42-acres into the City of Lathrop.

SITE DESCRIPTION:

The project site is generally located at the southwest corner of Roth Road and S. Manthey Road, west of Interstate 5. The site is comprised of approximately 21.7-acres on 2 Assessor's Parcel Numbers (APNs) 191-250-06 (10.3-acres) and 191-250-14 (11.4-acres). The property addresses include 169 W. Manila Road and 11293 S. Manthey Road. Although the site is approximately 21.7-acres in size, the development area associated with the proposed project is 19.63-acres and the annexation boundary is 22.42-acres (which includes future right-of-way land along Roth Road, S. Manthey Road and a portion of the Roth Road and S. Manthey Road intersection). The project site is located in unincorporated San Joaquin County, west of the existing Lathrop City Limit.

Both of the above noted parcels are located within the City's Sphere of Influence (SOI), which is a planning boundary outside of the City's legal boundary that designates the City's probable future boundary and service area.

The project site is comprised of flat land with ruderal grasses, fallow ground, a few trees (located primarily along the northern and eastern boundary of the project site), and the footprint of a previously abandoned structure and impervious area. The general location of the project is shown in the exhibit below.

Location Map:



The project site is bounded by agriculture land and residential uses to the north, Interstate 5 and City limits to the east, agriculture land and residential uses to the south, and agriculture land to the west. The 11.4-acre property has a General Plan Land Use Designation of FC, Freeway Commercial (APN: 191-250-14) and the project includes a General Plan Amendment to designate the 10.3-acre property (APN: 191-250-06) as FC, Freeway Commercial. A Pre-Zone is being requested to amend the Zoning Map to designate both properties as CH, Highway Commercial if annexed into the City.

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The table below shows the Zoning, General Plan Land Use Designation and use of surrounding properties. Refer to the Vicinity Map above for the location of the project area.

| Direction | Land Use | Zoning District | General Plan (GP) Designation |
|------------------|--|---|---|
| North | Agriculture land and 2 residences | AU-20, Agriculture-Urban Reserve (San Joaquin County) | I/L, Limited Industrial (San Joaquin County) |
| South | Agriculture land and 3 residences | AI, Agricultural Industry and AG-40, General Agriculture (San Joaquin County) | A/I, Agriculture-Industrial and A/G, General Agriculture (San Joaquin County) |
| East | Interstate 5 and highway commercial uses | CH, Highway Commercial (City of Lathrop) | FC, Freeway Commercial (City of Lathrop) |
| West | Agriculture land | AG-40, General Agriculture (San Joaquin County) | AG-40, General Agriculture (San Joaquin County) |

PLANNING COMMISSION:

On May 15, 2024, the Planning Commission held a public hearing on the proposed Singh Petroleum Project. The Planning Commission deliberated on project details, such as traffic generation, proximity to Interstate 5, future signage and sales tax generation for the City. After reviewing and considering all information provided and submitted, and after taking and considering all public testimony, adopted the following Resolutions by a 5-0 vote:

1. Resolution No. 24-6, recommending City Council Certification of the Final Environmental Impact Report (FEIR) (SCH# 2022120596), CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project;
2. Resolution No. 24-7, recommending City Council adoption of a General Plan Amendment of APN: 191-250-06 to FC, Freeway Commercial;
3. Resolution No. 24-8, recommending City Council approval of an Ordinance for Zoning Map Amendment relating to the Pre-Zoning of the subject annexation area;

4. Resolution No. 24-9, recommending City Council approval of a Conditional Use Permit and Site Plan Review to allow for the development of a Travel Plaza on the subject property; and
5. Resolution No. 24-10, recommending City Council approval of an application to the San Joaquin Local Agency Formation Commission (LAFCO) for the annexation of the Singh Petroleum Project site of 22.42-acres.

The above Resolutions are attached in this Staff Report as Attachment 15.

ANALYSIS:

Site Plan

As noted above, the proposed project would be developed in 2 phases. The phasing of the project is illustrated in Attachment 8 and 9 and is further described below:

Site Plan – Phase 1

Phase 1 of the proposed project consists of the development of the 16,668 sq. ft. travel center building, a 13,846 sq. ft. full service 4-bay truck and automobile repair facility, fueling facilities with eight truck fuel islands and eight car fuel islands (16 dispensers) with canopies, and off-street parking for automobiles and trucks/trailers. The 16,668 sq. ft. travel center includes office space, restroom facilities, eight showers, laundry facility, retail convenience store, 2 Quick Service Restaurants (QSR) (one with a drive-through), and indoor seating areas. This phase also includes outdoor seating areas, two dog runs enclosed with metal fences, a CAT scale, trash enclosures, and above ground fueling tanks for gasoline and diesel.

The travel center building is generally located at the southwest corner of Roth Road and S. Mantney Road and the 4-bay truck and automobile repair facility is located west of the truck fuel island and the travel center building.

Off-street parking is provided both for passenger vehicles (employee and customer parking) and for trucks/trailers. Specifically, Phase 1 includes a total of 163 passenger vehicle spaces including 128 standard sized spaces with 10 Electric Vehicle (EV) spaces, 28 compact spaces, and 7 ADA spaces. The employee and customer parking areas have been designed to comply with the dimension requirements pursuant to Section 17.76.030, *Standards for off-street parking and on-site parking facilities*. Additionally, Phase 1 includes a total of 148 truck and trailer spaces with each space designed to accommodate a truck with a trailer attached. Bicycle parking is provided consistent with Section 17.76.120, *Bicycle parking and storage standards*, which requires the number of bicycle parking spaces to equal 5 percent of the total automobile parking. In this regard, bicycle parking is provided adjacent to the travel center building and the 4-bay truck and automobile repair facility.

Circulation – Phase 1

The proposed project would be served by an extension of Roth Road to the west from the intersection of S. Manthey Road and Roth Road. Roth Road is currently a two-lane arterial that terminates at the intersection of Roth Road and S. Manthey Road. According to the City’s General Plan, Roth Road is intended to be a four-lane arterial roadway.

Phase 1 includes 4 access points: a truck exit only driveway on Roth Road; an auto exit only driveway on the future Roth Road; a truck exit and entrance driveway on S. Manthey Road; and an auto exit and entrance driveway on S. Manthey Road. All auto vehicles will enter the site via the two driveways on S. Manthey Road and will exit the site on S. Manthey Road or the driveway located on the future Roth Road. Trucks will have two exits with one located at the southern driveway on S. Manthey Road and the other on the future Roth Road.

Site Plan – Phase 2

Phase 2 of this project involves the realignment of S. Manthey Road to the west. Improvements associated with Phase 1, such as the location of proposed buildings, the fueling facilities, the above-ground gasoline and diesel storage tanks, and the trash enclosures will remain unchanged. However, off-street parking for trucks/trailers will be reduced from 148 truck and trailer spaces to 98 as the realignment of S. Manthey Road will remove the majority of truck and trailer spaces along the western portion of the project site.

Circulation – Phase 2

Circulation will be modified to accommodate the realignment of S. Manthey Road to the west of its current location. Phase 2 will include 3 access points to the project site: an auto exit and entrance driveway at the southeastern corner of the site off a proposed cul-de-sac at S. Manthey Road; and auto exit and entrance on the future Roth Road; and a dedicated truck exit and entrance on the future realigned S. Manthey Road. The interim driveways included in Phase 1 will be removed.

Interstate 5 and Roth Road Interchange

On November 13, 2023, the City Council approved a Professional Consulting Services Agreement with Dokken Engineering, Inc. to complete the Project Initiation phase for the Roth Road and Interstate 5 (I-5) Interchange Project. Additionally, on February 12, 2024, the City Council approved a Cooperative Agreement with Caltrans to complete the Project Initiation Document (PID) for the Roth Road and I-5 Interchange. During this phase, a PID will be prepared to define the scope of work for traffic and environmental studies and to review feasible design alternatives for this interchange project. This is the first of many steps necessary to construct a new interchange at Roth Road and I-5.

The proposed project will be required to pay the Regional Transportation Impact Fee (RTIF) and the City's North Lathrop Transportation Impact Fee (NLTIF), both of which fund traffic improvements, including the improvements to the I-5 and Roth Road Interchange.

S. Manthey Road Realignment

As noted above, Phase 2 of the proposed project involves the realignment of S. Manthey Road. The realignment will help facilitate the improvements to the Roth Road and I-5 Interchange. Since the future roadway alignment traverses both City and San Joaquin County jurisdiction, City staff is coordinating roadway improvements, alignment, and maintenance obligations with San Joaquin County Public Works staff.

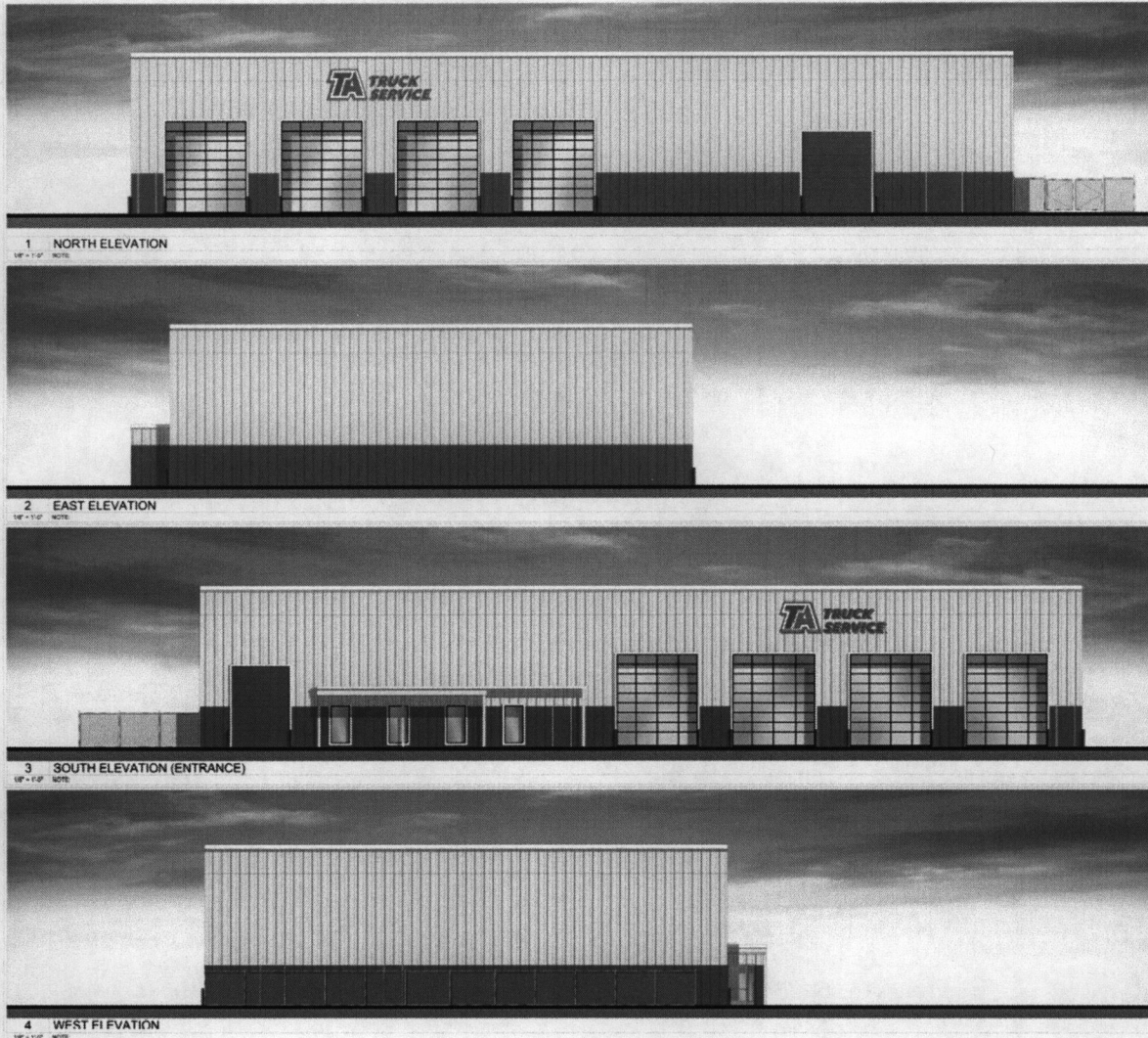
As noted above, the proposed project would be developed in two phases. However, the proposed project may develop the Phase 2 layout with no phasing due to the timing of the I-5 and Roth Road Interchange improvements and the S. Manthey Road Realignment. Timing is dependent on the amount of traffic volume generated by existing and future development projects in the region.

Architecture

The travel center is designed in a modern corporate architecture that features flat roof forms, metal awnings, and varied wall materials. The architecture also incorporates a 'tower' feature at the primary convenience store entrance and the corporate Travel America flag and arch. The maximum height of the building 37 feet at the top of the tower and 23 feet at the parapet. The proposed architecture for both the travel center building and the truck repair facility are illustrated below (and further details in Attachment 8 of the staff report). The exterior wall finishes for the travel center building includes stone veneer (El Dorado Stone) treatments at the base and column areas, earthtone stucco finishes for the main body, and a metal roof.



The proposed architecture for the 28-foot tall truck repair facility building includes metal siding and four metal roll up doors with glass panels with an aluminum finish. The roll-up doors will be located at the north and south sides of the building, allowing trucks to drive through the building. The colors for this building will be the stucco and corporate colors of the travel center building.



Floor Plan

As illustrated in the Floor Plan (Attachment 8), the proposed project includes a convenience store and two Quick Service Restaurants (QSRs) within the travel center building. One QSR is proposed as a drive-through facility and the other is a non-drive through facility. Access to each component of the floor plan (convenience store and QSRs), is provided via an open floor plan and vestibule entryways.

The travel center includes a traditional floor plan as it relates to the convenience store, with a variety of refrigerated and non-refrigerated goods and includes additional traveler amenities, including but not limited to a driver's lounge, showers, and laundry services.

Fencing and Screening

The proposed fencing and walls for the project are illustrated on the Fencing Plan (see Attachment 8). The applicant will be providing three types of fencing for this project including: a 48" green screen fence, chain-link fencing with privacy slats and a split face CMU wall.

The green screen fence will be utilized around the outdoor seating area and dog run adjacent to the drive-through QSR. The chain-link fencing will be utilized to screen the commercial truck parking area and stormwater retention basins. The split face CMU wall will be utilized along a portion of the northern and southern property line to serve as a noise barrier and to screen the project from adjacent properties and existing rural residences.

The proposed project includes the construction of two trash enclosures: one located in close proximity to the travel center building and the other located close proximity to the 4-bay repair facility. Pursuant to City Standards, both trash enclosure would have three solid walls, a fence and roof and are to be consistent with the material and colors of the primary buildings.

Landscaping

Landscaping is provided throughout the project area and represents 30% (263,907 sq. ft.) of the entire project area (19.63-acres), exceeding the minimum of 15% landscaping required pursuant to Chapter 17.92, *Landscaping and Screening Standards*. Landscaping treatment along Roth Road and S. Manthey Road will include a variety of large and medium sized trees, shrubs and ground cover in a 10' landscape strip. Shade trees are proposed throughout the passenger vehicle parking area and at the employee parking area for the commercial truck service facility. As illustrated on the Site Plan and Landscape Plan (see Attachments 7 and 8), 2 "dog run" facilities are proposed with 1 located south of the convenience store adjacent to an outdoor seating area and the other located south of the commercial truck parking area. Although the majority of the landscaping for the Phase 2 development will remain, landscaping along Roth Road and at the S. Manthey Road will either be removed or relocated.

Lighting

Lighting is proposed throughout the project site and will be designed to be shielded and directed towards the project parking and access areas only (away from adjoining properties and roadways). As part of the Building Permit application process, the applicant will be required to submit a detailed photometric plan illustrating the specific lighting details for this project, parking lots, driveways, trash enclosure/areas are required to be illuminated during the hours of darkness with a minimum maintained one-foot candle power of light.

Utilities

The proposed project will be required to connect to City water and sanitary sewer services. Water and sewer services for the proposed project will be extended to the project site from existing services from the intersection of Harlan Road and Roth Road east of I-5. The water and sewer lines will need to be extended west under the overpass along Roth Road to the project site. A 7.5-foot deep private stormwater retention basin would be located in the southern and western portion of the project site as illustrated in the Site Plan and Landscape Plan (see Attachments 8 and 9). A 5-foot landscape strip will surround the retention basin, along a 3:1 slope.

Storm drain lines for the proposed project will be extended throughout the project site to the retention basins. The retention basins have been designed and situated to accommodate both Phases of the development.

General Plan Amendment

The project area is currently in the planning jurisdiction of San Joaquin County, and has a San Joaquin County General Plan Land Use Designation of FC, Freeway Commercial (APN: 191-250-14) and Agriculture/General (APN: 191-250-06). While a portion of the project site (APN: 191-250-06) is designated for FC, Freeway Commercial land uses in the City of Lathrop General Plan, the other property within the project area (APN: 191-250-14) does not have a General Plan Land Use Designation. The proposed General Plan Amendment would modify the General Plan Land Use Map to designate the project site as FC, Freeway Commercial.

On January 22, 2021, the City sent letters to the tribes on the Native American Contact List received from the Native American Heritage Commission (NAHC) pursuant to Government Code Section 65352.3 and Public Resources Code Sections 5097.9 and 5097.993. These letters notified the tribes of the proposed General Plan Amendment and that the tribe(s) have 90-days in which to request consultation. The City did not receive a request for consultation during the 90-day review period.

Pre-Zoning

The project area is currently in the planning jurisdiction of San Joaquin County, and zoned for C-FS, Freeway Service Commercial (APN: 191-250-14) and AG-40, General Agriculture (APN: 191-250-06). The San Joaquin Local Agency Formation Commission (LAFCO) will require the Plan Area to be pre-zoned by the City in conjunction with the proposed annexation. The City of Lathrop Zoning map does not currently recognize or designate zoning districts for lands within the project planning area. A Zoning map amendment (referred to as pre-zoning when associated with an annexation) is necessary to facilitate implementation of the proposed project. The City's pre-zoning will follow the Land Use Designations laid out in the Lathrop General Plan as Highway Commercial (CH).

The pre-zoning of the project area would go into effect upon annexation into the City of Lathrop. The Pre-Zone Exhibit is attached to this Staff Report as Attachment 11.

Annexation

The Singh Petroleum Project proposes to annex approximately 22.42-acre project area into the City of Lathrop (which includes future right-of-way). As mentioned above, the project site would only occupy 19.63-acres of the proposed annexation area. The project area is located within the Sphere of Influence (SOI) of the City of Lathrop, and therefore, it has been planned for and intended that this area would eventually be annexed into and become part of the City.

Procedurally, if the annexation request is approved by the Planning Commission and City Council, City staff will subsequently file a formal application with the San Joaquin Location Agency Commission (LAFCO) for annexation of the 22.42-acre project area. The project area and annexation consists of two (2) parcels: APN's: 191-250-06 and 191-250-14. The annexation boundary map is included in this Staff Report as Attachment 12.

Based on pre-consultation meetings with LAFCO staff, the proposed annexation request appears to meet application LAFCO policies necessary to support the annexation. The area is a logical extension of the City's boundary, utilities and City services can serve the property, and no unincorporated county "island" will be created. All LAFCO annexation application fees will be paid for by the project applicant.

On June 4, 2024, the City received a letter from Mr. Douglas J. Rishwain, a legal representative to Elisa J. Aquino, individually and trustee of the Elisa J. Aquino Living Trust requesting that her three (3) parcels (APNs: 191-250-07, 191-250-09, and 191-250-10) adjacent to the Singh Petroleum Project to the south be included in the annexation boundary. The discussion related to expanding the annexation boundary to include the three (3) parcels referenced will be analyzed and discussed with LAFCO. The Aquino letter is attached to this Staff Report as Attachment 17.

Conditional Use Permit

The proposed travel center is listed as a conditionally permitted use in the Lathrop Municipal Code (LMC) for properties located in the CH, Highway Commercial Zoning District. Staff finds that the proposed use is compatible with the CH, Highway Commercial Zoning District. The project site is conveniently located on the southwest corner of Roth Road and S. Manthey Road with freeway access to Interstate 5 via Roth Road.

In consideration of the CUP, the Planning Commission must make certain findings contained in Section 17.112.060, A of the Lathrop Municipal Code (LMC).

The findings are re-stated below and include:

1. The granting of a use permit for the proposed use is necessary for the preservation and enjoyment of a substantial property right.
2. The location of the proposed use is consistent with the objectives of the zoning code and the purpose of the district in which the site is located.
3. The proposed use will comply with each of the applicable provisions of Chapter 17.112 of the LMC.

Staff has reviewed each of the findings presented above and determined that the proposed project has been designed so that the use is compatible with surrounding land uses and consistent with the CH, Highway Commercial Zoning District development standards, including but not limited to building height, setbacks, landscaping, off-street parking requirements, and architectural design, and will not be detrimental to the health, safety or general welfare of the City.

Site Plan Review

Pursuant to Chapter 17.100, in taking action on a proposed Site Plan, the Planning Commission shall make certain findings contained in Section 17.100.050 of the Lathrop Municipal Code (LMC). The findings are re-stated below and include:

1. That the site plan complies with all applicable provisions of Chapter 17.100;
2. That the site improvements listed in Chapter 17.100 (a. through i.) are so arranged that traffic congestion is avoided and that pedestrian and vehicular safety and welfare are protected, and there will not be adverse effect on surrounding properties;
3. Proposed lighting is so arranged as to deflect the light away from adjoining properties;
4. The adequate provision is made to reduce adverse or potentially adverse environmental impacts to acceptable levels.

Based on staff's review of the project, it was determined that the project complies with each of the findings presented above. As discussed in the Analysis Section, staff finds that the proposed project has been designed or is otherwise conditioned so that the use is compatible with surrounding land uses and will not be detrimental to the health, safety, or general welfare of the City.

General Plan and Zoning Consistency

The Singh Petroleum Project has been reviewed by staff for consistency with the Lathrop General Plan and Title 17, *Zoning* of the Lathrop Municipal Code (LMC). The proposed project is consistent with the following General Plan Policies (consistency statements are in italics):

Policy LU-1.1 Support a full spectrum of conveniently located residential, commercial, industrial, public, and quasi-public uses that support business development, regional transportation objectives and the livability of residential neighborhoods.

The proposed project includes the development of commercial retail space which will support business development within the City of Lathrop by providing regional transportation facilities.

Policy LU-1.9 Promote equitable land use patterns to provide all residents in all neighborhoods access to community amenities and transportation choices, and increase safety for walking and biking.

The project provides amenities to residents which support all transportation choices, such as full scale commercial service facilities. One of the project objectives is to provide visitor-serving facilities that maximize the benefits of the project site's proximity to I-5, and thereby minimizes traffic generation on local streets by visitors exiting and reentering the freeway. By minimizing traffic generated on local streets, conflicts between truck and automobile traffic and walkers and bikers is reduced.

Policy LU-3.1 Support regional efforts that promote higher densities and intensities near major transit and travel facilities, and reduce regional vehicle miles traveled by supporting active modes of transportation including walking, biking, and public transit.

The project site is designated for freeway commercial uses in the City's General Plan. The project would result in development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a major travel facility. As discussed in the Draft EIR Transportation and Circulation (Section 3.13), the project would generate an estimated average of 43.1 VMT per employee, which is 79.6% below the cumulative city-wide average. The proposed project would generate VMT per employee that is less than existing city-wide VMT by employee or cumulative city-wide VMT by employee.

Policy LU-3.4 Promote logical City boundaries and work with surrounding jurisdictions to encourage complementary uses. Specifically, work with the City of Manteca and San Joaquin County to ensure development of complementary and compatible uses adjacent to Lathrop.

The project site is located in the portion of the City adjacent to I-5 and will create a logical extension of the City's boundary.

The site has been anticipated for development of freeway commercial uses as part of the City's General Plan and would result in the development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a major travel facility.

Policy LU-5.1 Require new development to be compatible and complementary to existing development. Where appropriate and feasible, promote connections between neighborhoods and services and facilities.

The project is a new development which is compatible with the surrounding land uses. Existing freeway commercial and industrial uses are located directly across I-5 from the project site. The proposed commercial uses would be constructed in a similar form and scale as the existing freeway commercial, retail, and service uses within the City of Lathrop.

Policy LU-5.6 In considering land use change requests, consider factors such as compatibility with surrounding uses in terms of privacy, noise, and changes in traffic levels.

The project includes buffer areas and screening from adjacent uses along the perimeter of the project site.

Policy LU-6.1 Capitalize on Lathrop's location within the Central Valley, proximity to major metropolitan areas, and regional transportation facilities.

The proposed project is considered small-scale and would provide jobs and local revenue for the City. The proposed project would generate employment- and tax-generating businesses which would support the economic diversity of the City. Additionally, the project site is located near existing I-5 for the transport of goods that support business development and serve regional transportation. The project would result in development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a regional transportation facility.

Policy LU-7.4 Ensure that new urban uses which are proposed adjacent to lands designated for agricultural uses include adequate buffers to reduce potential land use conflicts and nuisance impacts to sensitive receptors.

The proposed project provides landscaping buffers between the southern and western portions of the project site and existing agricultural operations located to the south and west. The 7.5-foot deep retention pond along the western boundary measures approximately 60-feet from the western boundary line and the retention basin to the southwestern corner measures approximately 266-feet from the western boundary line and approximately 228-feet from the southern boundary line. Together, the retention ponds provide sufficient buffer to protect the agriculture operations from the impacts of the development of the project site, as buffers typically consistent are 5 to 10 feet, according to Chapter 17.92, Landscaping and Screening, requirements of the Lathrop Municipal Code. Phase 2 of the project provides landscaping buffers to the north from the project site, along the northern project boundary. This includes a 10-foot width landscaping strip along the northern project boundary in order to buffer project uses from adjacent agricultural uses and would reduce adverse effects on neighboring agricultural uses.

The full list of applicable General Plan Policies are located in Chapter 3.10, *Land Use and Planning* of the Draft Environmental Impact Report (EIR) (Attachment 14).

Conditions of Approval

Planning staff routed the project plans on March 24, 2022 to the Building Division, Public Works Department, Lathrop-Manteca Fire District, and Lathrop Police Department to ensure compliance with applicable codes and regulations. In addition, Planning staff routed an external referral to outside agencies and departments for review and comment on March 24, 2022.

The City received comments from the following agencies:

- San Joaquin Council of Governments (SJCOG) and Airport Land Use Commission (ALUC): The comment letter, dated September 29, 2022, states that SJCOG, acting as the ALUC, finds that the proposed project is compatible with the 2018 Stockton Metropolitan Airport Land Use Compatibility Plan (ALUCP) and includes standards and project design conditions that comply with the ALUC requirements. These comments are attached to the Consolidated Conditions of Approval (Attachment 7).

- California Department of Transportation (Caltrans): The comment letter, dated July 5, 2022, includes comments related to the preparation of the Transportation Analysis Report, including, but not limited to: operational analysis and 95th percentile queue for both northbound and southbound ramp intersections at I-5, providing Synchro/Simtraffic electronic files to Caltrans, coordinating with Caltrans on traffic volumes used in the analysis, and trip generation and inclusion of Vehicle Miles Traveled (VMT). These comments were transmitted to the CEQA Consultant, De Novo Planning Group, for inclusion in the Transportation Analysis Report₇ prepared by Fehr and Peers.
- San Joaquin County Environmental Health Department (EHD): The comment letter, dated July 24, 2022, includes EHD conditions regarding the review of food facility plans and permitting requirements, and addressing requirements with respect to well abandonment, geotechnical drilling, and hazardous materials/waste handling. These comments are attached to the Consolidated Conditions of Approval (Attachment 7).
- San Joaquin County Development Services Division. The comment letter, dated June 29, 2022, includes comments on the proposed annexation and realignment of S. Manthey Road.
- San Joaquin Air Pollution Control District (SJVAPCD): The comment letter, dated June 30, 2022, includes: a description of the Air District's Rules and Regulations, comments related to project's construction and operational emissions, and a recommendation for the project to include a Health Risk Assessment (HRA) and Ambient Air Quality Analysis. The Environmental Impact Report includes an Air Quality, Greenhouse Gas, and Energy Modeling analysis as well as a Health Risk Assessment.
- South San Joaquin Irrigation District (SSJID): The comment letter, dated June 22, 2022 states that there does not appear to be any District facilities located within the proposed project site.

Public Notice

A Notice of Public Hearing was advertised in the Manteca Bulletin on June 25, 2024. Staff also mailed the public hearing notice on June 25, 2024 to notify property owners located within a 300-foot radius from the Singh Petroleum Project boundary. In addition, the Public Notice was emailed to the City's Public Hearing subscribers and interested parties on June 25, 2024 and posted at 3 locations accessible to the public.

Additional opportunities for the public to comment on the proposed project included multiple periods during the environmental review process (i.e., Notice of Preparation, Notice of Availability, public scoping meeting, notices in the Manteca Bulletin, and notices related to the Planning Commission and City Council meetings).

CEQA REVIEW:

Serving as the Lead Agency, the City of Lathrop contracted with the professional environmental consulting firm of De Novo Planning Group to prepare an Environmental Impact Report (EIR) to examine the potentially significant environmental effects of the proposed development that could occur as a result of implementation of the Singh Petroleum Project.

On January 11, 2023, the City of Lathrop held a duly noticed public scoping meeting as part of the Notice of Preparation (NOP) process to receive public comments that would be considered in the Draft Environmental Impact Report (DEIR). The Public Review Period for the NOP was from December 22, 2022 through January 20, 2023.

The Notice of Availability (NOA) for the DEIR was published on February 7, 2024, as part of the public review mandated by the California Environmental Quality Act (CEQA). The Public Review Period was from February 7, 2024 through March 25, 2024 (45-day review). The DEIR is attached to this Staff Report as Attachment 14.

Based on verbal and written comments received during that period, the Final Environmental Impact Report (FEIR) was prepared and completed in May, 2024 and is attached to this Staff Report as Attachment 13. With the completion of the FEIR for the Singh Petroleum Project, the project is now moving forward with public hearing review and consideration before the Planning Commission and City Council. The two completed environmental documents, consisting of the DEIR and FEIR, make up and are referred to as the project EIR.

The EIR documents have identified potentially significant environmental effects in the areas of Air Quality, Biological Resources, Cultural and Tribal Resources, Geology and Soils, Hazards and Hazardous Materials, Noise, Transportation and Circulation.

Summary of Environmental Impacts

As described in detail in Section III of the CEQA Findings, the following significant and unavoidable impacts could occur with implementation of the Project:

Air Quality – Project Operation Could Conflict with or Obstruct Implementation of the District’s Air Quality Plan

The proposed project would require a General Plan Amendment to the City’s Land Use Map to change land uses on the project site. Changes to the Land Use Map would include changing the General Plan Land Use Designation for APN: 191-250-06 from Agricultural/General (A/G) (County) to Freeway Commercial (FC) (City). However, most of the Project site is already designated FC, which the project would be consistent with. Therefore, the proposed project, which involves the development of regional travel serving uses, is consistent with the majority of the project site’s existing General Plan Land Use Designation. Overall, the proposed project is not anticipated to conflict with or obstruct implementation of the Air Quality Attainment Plan (AQAP). However, since a portion of the project would require a General Plan Amendment, this impact is considered to be significant and unavoidable.

Air Quality – The Proposed Project Could Expose Sensitive Receptors to Substantial Pollutant Concentrations

The proposed project, in and of itself, could not result in a significant increased exposure to localized concentrations of Toxic Air Contaminants (TACs) for the residential located at 11401 Manthey Road. Further detail is provided in the Health Risk Assessment provided in Appendix A.3 of the Draft EIR. Given the project’s estimated 0.74 tons per year of particulate matter, the total PM_{0.1} generated by the project is estimated to be approximately 0.08 tons per year (163 pounds/year) This is equivalent to 0.45 lbs./day of PM_{0.1}, the quantity estimated is considered small relative to thresholds established for other particulate matter. From an incremental health perspective, this level of ultrafine particulates (UFPs) generated by the project would not be substantial. As such, the project would not result in substantial UFP emission that may affect nearby receptors. Nevertheless, TACs generated by the proposed project would exceed the applicable residential cancer risk. This impact is significant and unavoidable.

Air Quality – Cumulative Impact on Region’s Air Quality

Under buildout conditions in the San Joaquin County, the San Joaquin Air Basin (SJVAB) would continue to experience increases in criteria pollutants and efforts to improve air quality throughout the basin would be hindered. As described in Section 3.3 of the Draft EIR, San Joaquin County has a national designation of either Unclassified or Attainment for all criteria pollutants except for Ozone and PM_{2.5}. Table 3.3-2 in Section 3.3 of the Draft EIR presents the State and Federal attainment status for San Joaquin County.

As noted in Section 3.3 of the Draft EIR, the maximum cancer risk would occur at a residence located at 11401 Manthey Road, located directly adjacent to the project site to the south, would have a residential cancer risk of approximately 28.6 per million.

The maximum workplace cancer risk would occur within the central portion of the project site, located around the gasoline pumps, with a maximum risk of up to approximately 5.9 per million (at the location of maximum workplace cancer risk). Although the workplace cancer risk would be below the applicable SJVAPCD threshold, the residential cancer risk would be above this threshold.

As shown in Table 3.3-15 in Section 3-3 of the Draft EIR, the proposed project, in and of itself, could not result in a significant increased exposure of receptors to localized concentrations of TACs for the residence located at 11401 Manthey Road. Further detail is provided in the Health Risk Assessment provided in Appendix A.3 of the Draft EIR. Therefore, implementation of the proposed project is considered to have a potential to cause a significant and unavoidable impact relative to this topic. The project's contribution to this significant impact would be cumulatively considerable.

The adverse effects listed above, and described in detail in Section III of the Findings of Fact / Statement of Overriding Considerations, are substantive issues of concern to the City. However, the City of Lathrop has a General Plan that provides for an array of land uses throughout the City that are intended to accommodate the City's needs for growth over the foreseeable future. The proposed project has been designated with land uses that are intended to generate jobs and tax revenue for the City, while providing freeway commercial opportunities. The proposed project would provide an increase in local jobs that could be filled by the citizens of Lathrop, which could reduce the number of citizens commuting to areas outside of the City. Implementation of the proposed project would provide job growth to the area. It is anticipated that local employment would be increased to provide administrative, management, automotive mechanical, and technical services. The proposed project is expected to require both full-time and part-time employees. Additionally, development of the project would provide short-term employment opportunities within the construction, engineering, and design field, among others.

Additionally, the proposed project would generate tax revenue that the City would not otherwise benefit from if the project was not developed. The job creating uses, additional employment opportunities, and tax benefits discussed above would ultimately improve the quality of life in the City of Lathrop.

Based on the entire record and the EIR, the economic and social benefits of the Project in Lathrop appear to outweigh and override any significant unavoidable environmental effects that would result from future Project implementation as more fully described in in Section III, Findings and Recommendations Regarding Significant and Unavoidable Impacts in the Findings of Fact / Statement of Overriding Considerations (Attachment 15).

Any environmental detriment caused by the proposed project has been minimized to the extent feasible through the mitigation measures identified herein, and where mitigation is not feasible, has been outweighed and counterbalanced by the significant social, environmental, and land use benefits to be generated to the region.

Comments on the EIR

Seven (7) comment letters were received on the DEIR. Under CEQA, a Final EIR is comprised of the Draft EIR and the comments and responses thereto pursuant CEQA Guidelines Sections 15132 and 15362. The Final SEIR has been prepared that provides responses to those comments and concerns received in writing during the public review period from various agencies and the public. As noted above, the Final EIR is attached to this Staff Report as Attachment 13.

Assembly Bill 52

On January 22, 2021, the City sent letters to the tribes on the Native American Contact List that the City received from the NAHC pursuant to Public Resources Code Section 21080.3.1. These letters notified the tribes on the Assembly Bill 52 (AB 52) of the City's intent to prepare the CEQA compliance documents for the proposed project and to provide the tribe(s) with the opportunity to consult with the City regarding the potential impacts to Tribal Cultural Resources, as defined in Section 21074 of the Public Resources Code. Although the specific details of the consultation are confidential pursuant to California law, the City held one consultation meeting with the Northern Valley Yokuts Tribe to discuss the project. No further comments were received related to the project.

RECOMMENDATION:

The Planning Commission and staff recommend that the City Council consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, take the following actions:

1. Adopt a Resolution Certifying the Final Environmental Impact Report (FEIR) (SCH# 2022120596), CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project;
2. Adopt a Resolution Approving a General Plan Amendment of APN: 191-250-06 to FC, Freeway Commercial;
3. Introduce and Conduct First Reading of an Ordinance for Zoning Map Amendment related to the Pre-Zoning of the Subject Annexation Area;
4. Adopt a Resolution to Approve a Conditional Use Permit and Site Plan Review for the Development of a Travel Plaza on the Subject Properties; and
5. Adopt a Resolution to Direct Staff to File an Application with the San Joaquin Local Agency Formation Commission for the Annexation of 22.42-acres.

**CITY MANAGERS REPORT
JULY 8, 2024 CITY COUNCIL REGULAR MEETING
SINGH PETROLEUM PROJECT**

PAGE 22

FISCAL IMPACT:


All application processing fees and costs are charged to the applicant. The request has no fiscal impact to the City.

ATTACHMENTS:

1. Resolution Certifying the Singh Petroleum Final EIR (SCH# 2022120596), with CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Measures/Monitoring Plan
2. Resolution to Approve a General Plan Amendment to FC, Freeway Commercial (GPA-20-60)
3. Ordinance Adopting Amendments to the Zoning Map related to the Singh Petroleum Project (REZ-20-61)
4. Resolution to Approve a Conditional Use Permit and Site Plan Review for the Singh Petroleum Project (CUP-20-62 and SPR-20-63)
5. Resolution to Direct Staff to File an Application with the San Joaquin Local Agency Formation Commission for the Annexation of 22.42-acres (ANX-20-64)
6. Vicinity Map of 11293 S Manthey Rd and 169 W Manila Rd (APN 191-250-06 and APN 191-250-14)
7. Consolidated Conditions of Approval for the Singh Petroleum Project, dated May 15, 2024 including the Mitigation Monitoring and Reporting Program
8. Site Plan for Phase 1 and Phase 2, prepared by Wong Engineers, dated April 17, 2023
9. Architecture and Landscape Plans, prepared by MHA Design Services, dated March 29, 2023
10. General Plan Amendment Exhibit
11. Pre-Zoning Exhibit
12. Annexation Description and Boundary Map
13. Singh Petroleum Project – Final EIR, dated May 2024
14. Singh Petroleum Project – Draft EIR, dated February 2024
15. CEQA Findings of Fact and Statement of Overriding Considerations, May 2024
16. Planning Commission Resolution Nos. 24-6, 24-7, 24-8, 24-9, and 24-10
17. Letter from Mr. Douglas J. Rishwain representing Elisa J. Aquino, dated June 4, 2024.

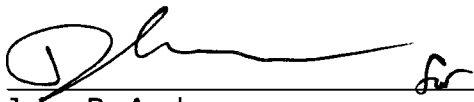
**CITY MANAGERS REPORT
JULY 8, 2024 CITY COUNCIL REGULAR MEETING
SINGH PETROLEUM PROJECT**

APPROVALS:



David Niskanen
Contract Planner

6/12/2024
Date



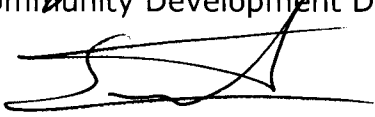
John B. Anderson
Contract Planner

6/12/2024
Date




Rick Caquiat
Community Development Director

6/12/24
Date



Salvador Navarrete
City Attorney

6-12-2024
Date



Stephen J. Salvatore
City Manager

6.14.24
Date

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH #2022120596), CEQA FINDINGS OF FACT, STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION MEASURES/MONITORING PLAN FOR THE SINGH PETROLEUM PROJECT (FILE NO. GPA-20-60, REZ-20-61, CUP-20-62, SPR-20-63, AND ANX-20-64)

WHEREAS, the Singh Petroleum Project includes General Plan Amendment No. GPA-20-60, Pre-Zone No. REZ-20-61, Conditional Use Permit No. CUP-20-62, Site Plan Review No. SPR-20-63, and Annexation No. ANX-20-64; and

WHEREAS, the proposed project includes the development of regional travel serving uses constructed in 2 phases consisting of gas and diesel facilities for passenger and commercial vehicles, a 16,668 sq. ft. travel center building that includes a convenience market, driver amenities, and 2 Quick Service Restaurants (QSR) with 1 drive-through, a 13,846 sq. ft. 4-bay full service truck and automobile repair facility, and off-street parking for motorists and commercial truck operators on a combined 19.63-acre project site; and

WHEREAS, the properties are located at 169 W. Manila Road and 11296 S. Manthey Road (APNs: 191-250-06 and 191-250-14, respectively); and

WHEREAS, on January 22, 2021, the City sent letters to the tribes on the Native American Contact list that the City received from the Native American Heritage Commission pursuant to Public Resources Code Section 21080.3.1; and

WHEREAS, the City held one Consultation meeting with the Northern Valley Yokuts tribe to discuss the project and the City closed the consultation on October 27, 2021. No further written or oral comments were received relating to the project; and

WHEREAS, a Notice of Preparation for the Singh Petroleum Project was mailed to all responsible agencies and submitted to the State Clearinghouse on December 22, 2023, pursuant to Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082; and

WHEREAS, a Draft Environmental Impact Report (DEIR) for the Singh Petroleum Project was prepared in accordance with Public Resources Code Section 21000 et. seq. and CEQA Guidelines 15000 et. seq.; and

WHEREAS, in accordance with Public Resources Section 21000 et. seq. and CEQA Guidelines Section 15000 et. seq., the City of Lathrop prepared and circulated for a 45-day public review period the DEIR for the Singh Petroleum Project, beginning on February 7, 2024 and ending on March 25, 2024, that evaluated potential environmental effects of the proposed Singh Petroleum Project; and

WHEREAS, a notice inviting comments on the DEIR was given in compliance with CEQA Guidelines Section 15085; and

WHEREAS, the City of Lathrop received seven (7) written comments on the DEIR and responses to those comments were prepared in the form of the Final Environmental Impact Report (FEIR), dated May 2024 (incorporated by reference herein); and

WHEREAS, pursuant to Public Resources Code Section 21092.5, the City of Lathrop provided notice regarding the availability of the FEIR and circulated the proposed responses to public agencies submitting comments on the DEIR; and

WHEREAS, the City Council has independently reviewed and analyzed the Final Environmental Impact Report for the Singh Petroleum Project and considered the information contained therein and all comments, written and oral, received at the public hearing on the FEIR prior to approving this resolution; and

WHEREAS, the City Council reviewed the FEIR prepared for the Singh Petroleum Project, City Staff Reports pertaining to the DEIR and FEIR, and all evidence received at the duly noticed Public Hearing. All these documents and evidence herein incorporated by reference into this Resolution; and

WHEREAS, the FEIR identified certain significant and potentially significant adverse effects on the environment caused by the Singh Petroleum Project. It is the intent of the City Council that the mitigation measures contained in the EIR are implementation measures for the development of the Singh Petroleum Project; and

WHEREAS, the City is required whenever possible, pursuant to CEQA, to adopt all feasible measures or feasible project alternatives that can substantially lessen or avoid any significant effects. A Mitigation Monitoring Reporting Program (MMRP) has been prepared for the Singh Petroleum Project; and

WHEREAS, the City is required, when approving a project for which an EIR has been prepared to 1) make findings with regard to the disposition of each significant impact, and if significant unavoidable impacts remain after mitigation, to 2) identify overriding considerations explaining why the City will continue to move ahead with the project; and

WHEREAS, the City Council desires, in accordance with CEQA, to declare that, despite the occurrence of significant environmental effects that cannot be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, social and other considerations for approving the Singh Petroleum Project, that the City Council believes justify the occurrence of those impacts; and

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on May 15, 2024, to consider the Final Environmental Impact Report (FEIR) (SCH #2022120596), CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Measures/Monitoring Plan (MMRP) prepared for the Singh Petroleum Project and after reviewing and considering all information provided and submitted, and after taking and considering all public testimony adopted Resolution No. 24-6 recommending City Council certification of the FEIR; and

WHEREAS, proper notice of this Public Meeting was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about June 25, 2024, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed the City's Public Hearing subscribers and interested parties and posted at three locations accessible to the public and the City website; and

WHEREAS, the City Council has utilized its own independent judgement in adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby make the following findings:

Section 1. The City Council has independently reviewed and analyzed the Final Environmental Impact Report for the Singh Petroleum Project and considered the information contained therein and all comments, written and oral, received at the public hearing on the FEIR prior to approving this Resolution.

Section 2. The FEIR identified certain significant and potentially significant adverse effects on the environment caused by the Singh Petroleum Project. It is the intent of the City Council that the mitigation measures contained in the FEIR are implementation measures for the development of the Singh Petroleum Project.

Section 3. The City Council desires, in accordance with CEQA, to declare that, despite the occurrence of significant environmental effects that cannot be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, social and other considerations for approving the Singh Petroleum Project, that the City Council believes justify the occurrence of those impacts.

BE IT FURTHER RESOLVED that the City Council of the City of Lathrop based on findings included herein, and based on substantial evidence in the administrative record of proceedings, hereby certify the Final Environmental Impact Report (consisting of the DEIR and FEIR) (SCH #2022120596) prepared for the Singh Petroleum Project, including the "CEQA Findings of Fact and Statement of Overriding Considerations", as referenced in the City Council Staff Report as Attachment 15 and subject to the "Mitigation Monitoring Reporting Program (MMRP), as referenced in the City Council Staff Report as Attachment 7.

The foregoing resolution was passed and adopted this 8th day of July 2024 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ADOPTING A GENERAL PLAN AMENDMENT TO THE GENERAL PLAN LAND USE MAP FOR THE SINGH PETROLEUM PROJECT (GPA-20-60)

WHEREAS, the Singh Petroleum Project includes General Plan Amendment No. GPA-20-60, Pre-Zone No. REZ-20-61, Conditional Use Permit No. CUP-20-62, Site Plan Review No. SPR-20-63, and Annexation No. ANX-20-64; and

WHEREAS, the proposed project includes the development of regional travel serving uses constructed in 2 phases consisting of gas and diesel facilities for passenger and commercial vehicles, a 16,668 sq. ft. travel center building that includes a convenience market, driver amenities, and 2 Quick Service Restaurants (QSR) with 1 drive-through, a 13,846 sq. ft. 4-bay full service truck and automobile repair facility, and off-street parking for motorists and commercial truck operators on a combined 19.63-acre project site; and

WHEREAS, the properties are located at 169 W. Manila Road and 11296 S. Manthey Road (APNs: 191-250-06 and 191-250-14, respectively); and

WHEREAS, Section 65358 of the California Government Code provides for process to amend all or part of an adopted General Plan; and

WHEREAS, the City has complied with the requirements of the Government Code (Government Code Section 65300 et. seq.), the current State of California General Plan Guidelines, and the City's applicable ordinances and resolutions with respect to approval of the Singh Petroleum Project General Plan Amendment (GPA); and

WHEREAS, pursuant to Government Code Section 65090, notice of the City Council hearing was published in accordance with State law in at least one newspaper of general circulation within the City of Lathrop at least ten calendar days before the City Council's public hearing; and

WHEREAS, before adoption of the GPA, the City Council independently reviewed and considered all written evidence and oral testimony presented to date, including the Environmental Impact Report (consisting of the DEIR and FEIR) prepared for the Singh Petroleum Project and associated entitlements, City staff reports and all information received at the duly noticed public hearings; all of these documents and evidence of which are incorporated herein by reference; and

WHEREAS, before adoption of the GPA, the City Council reviewed and considered the information contained in the FEIR for the Singh Petroleum Project (SCH #2022120596), and finds that the mitigation measures identified in the FEIR have been imposed on and incorporated in the Singh Petroleum Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated; and

WHEREAS, before the adoption of the GPA, the City Council adopted a Resolution Certifying the Final Environmental Impact Report (Final EIR) (SCH #2022120596), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the proposed GPA is an amendment to the adopted 2022 Lathrop General Plan, which was adopted on September 19, 2022; and

WHEREAS, the proposed GPA consists of amendments to the City of Lathrop General Plan Land Use Map, as shown in Attachment 10 of the City Council Staff Report incorporated by reference herein; and

WHEREAS, notice of the proposed GPA was provided pursuant to California Government Code Section 65352.3 and 65352.4 (General Plan review by California Native American tribes). Notice was mailed out to California Native American tribes on a list provided by the California Native American Heritage Commission (NAHC) on January 22, 2021; and

WHEREAS, no written or oral comments were received relating to the proposed General Plan Amendment for the Singh Petroleum Project; and

WHEREAS, State Planning Law and the Lathrop Municipal Code require the Planning Commission to provide a recommendation for a General Plan Amendment to the City Council by Resolution; and

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on May 15, 2024, to consider the General Plan Amendment and after reviewing and considering all information provided and submitted, and after taking and considering all public testimony adopted Resolution No. 24-7, recommending City Council approval of the proposed General Plan Amendment; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about June 25, 2024, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed the City's Public Hearing subscribers and interested parties and posted at three locations accessible to the public and the City website; and

WHEREAS, no written or oral comments were received relating to the proposed General Plan Amendment for the Singh Petroleum project; and

WHEREAS, the City Council has utilized its own independent judgement in adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby make the following findings:

Section 1. This Resolution incorporates, and by this reference makes a part hereof, that certain GPA, as shown in Attachment 10 of the City Council Staff Report, relative to the proposed development of the Singh Petroleum Project.

Section 2. General Plan Amendment Findings. The City Council finds and determines as follows:

1. The proposed GPA would amend the General Plan Land Use Map adopted September 19, 2022, as amended through 2024, to reflect the proposed Singh Petroleum Project land uses.
2. The proposed GPA is in the public interest of the people of the City of Lathrop as set for in more detail in the Statement of Overriding Considerations in the CEQA Resolution, herein incorporated by reference.
3. The proposed GPA would implement the following Policies contained in the General Plan in support of the proposed land use designations:
 - a. *"Policy LU-1.1: Support a full spectrum of conveniently located residential, commercial, industrial, public, and quasi-public uses that support business development, regional transportation objectives and the livability of residential neighborhoods."*
The proposed project includes the development of commercial retail space which would support business development within the City of Lathrop by providing regional transportation facilities.
 - b. *"Policy LU-1.9: Promote equitable land use patterns to provide all residents in all neighborhoods access to community amenities and transportation choices, and increase safety for walking and biking."*
The project provides amenities to residents which support all transportation choices, such as a full scale and commercial service facilities. One of the project's objectives is to provide visitor-serving facilities that maximize the benefits of the project site's proximity to I-5 and thereby minimize traffic generation on local streets by visitors exiting and reentering the freeway.

By minimizing traffic generated on local streets, conflicts between truck and automobile traffic and walkers and bikers is reduced.

- c. *"Policy LU-3.1: Support regional efforts that promote higher densities and intensities near major transit and travel facilities, and reduce regional vehicle miles traveled by supporting active modes of transportation including walking, biking, and public transit."*

The project site is designed for freeway commercial land uses in the City's General Plan. The project would result in development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a major travel facility.

- d. *"Policy LU-3.4: Promote logical City boundaries and work with surrounding jurisdictions to encourage complementary uses. Specifically, work with the City of Manteca and San Joaquin County to ensure development of complementary and compatible uses adjacent to Lathrop."*

The project site is located in the portion of the City adjacent to I-5 and will create a logical extension of City's boundary. The site has been anticipated for development of the City's boundary. The site has been anticipated for development of freeway commercial uses as part of the City's General Plan and would result in the development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a major travel facility.

- e. *"Policy LU-5.1: Require new development to be compatible and complementary to existing development. Where appropriate and feasible, promote connections between neighborhoods and services and facilities."*

The project is a new development which is compatible with the surrounding land uses. Existing freeway commercial and industrial uses are located directly across I-5 from the project site. The proposed commercial uses would be constructed in a similar form and scale as the existing freeway commercial, retail, and service uses within the City of Lathrop.

- f. *"Policy LU-5.6: In considering land use change requests, consider factors such as compatibility with surrounding uses in terms of privacy, noise, and changes in traffic levels."*

The project includes buffer areas and screening from adjacent uses along the perimeter of the project site.

- g. *"Policy LU-6.1: Capitalize on Lathrop's location within the Central Valley, proximity to major metropolitan areas, and regional transportation facilities."*

The proposed project is considered small-scale and would provide jobs and local revenue for the City. The proposed project would generate employment and tax-generating businesses which would support economic diversity of the City. Additionally, the project site is located near existing I-5 for the transportation of goods that support business development and serve regional transportation. The project would result in development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a regional transportation facility.

- h. *"Policy LU-7.4: Ensure that new urban uses which are proposed adjacent to lands designated for agricultural uses include adequate buffers to reduce land use conflicts and nuisance impacts to sensitive receptors."*

The proposed project provides landscaping buffers between the southern and western portions of the project site and existing agricultural operations located to the south and west.

The 7.5-foot deep retention pond along the western boundary measures approximately 60-feet from the western boundary line and the retention basin to the southwestern corner measures approximately 266-feet from the southern boundary line. Together, the retention ponds provide sufficient buffer to protect the agricultural operations from the impacts of the development of the project site, as buffers typically are 5 to 10 feet, according to Chapter 17.92, Landscaping and Screening, requirements of the Lathrop Municipal Code. Phase 2 of the project involves landscaping buffers to the north of the project site, along the northern project boundary. This includes a 10-foot width landscaping strip along the northern project boundary in order to buffer project uses from adjacent agricultural uses and would reduce adverse effects on neighboring agricultural uses.

Section 3. Upon adoption by the City Council, the Community Development Director is hereby directed to retain said GPA on permanent display in the Community Development Department of the City of Lathrop.

Section 4. Based on the findings set forth in this Resolution, the CEQA Resolution, and the evidence in the Staff Report, the City Council hereby adopt the General Plan Land Use Map Amendment, as illustrated and incorporated by reference as Attachment 10 of the City Council Staff Report.

BE IT FURTHER RESOLVED that the City Council of the City of Lathrop, based on substantial evidence in the administrative record of proceedings, its above findings, including the staff report and associated attachments, pursuant to its independent review and consideration, does hereby adopt the General Plan Land Use Map Amendment, as illustrated and incorporated by reference as Attachment 10 of the City Council Staff Report.

The foregoing resolution was passed and adopted this 8th day of July 2024 by the following vote of the City Council, to wit:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

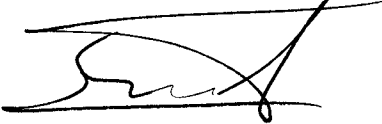
SIGNED:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

ORDINANCE NO. 24-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LATHROP AMENDING THE LATHROP ZONING MAP TO PREZONE THE PROPERTIES IN THE SINGH PETROLEUM PROJECT AREA (REZ-20-61)

WHEREAS, the Singh Petroleum Project includes General Plan Amendment No. GPA-20-60, Pre-Zone No. REZ-20-61, Conditional Use Permit No. CUP-20-62, Site Plan Review No. SPR-20-63, and Annexation No. ANX-20-64; and

WHEREAS, the proposed project includes the development of regional travel serving uses constructed in 2 phases consisting of gas and diesel facilities for passenger and commercial vehicles, a 16,668 sq. ft. travel center building that includes a convenience market, driver amenities, and 2 Quick Service Restaurants (QSR) with 1 drive-through, a 13,846 sq. ft. 4-bay full service truck and automobile repair facility, and off-street parking for motorists and commercial truck operators on a combined 19.63-acre project site; and

WHEREAS, the properties are located at 169 W. Manila Road and 11296 S. Manthey Road (APNs: 191-250-06 and 191-250-14, respectively); and

WHEREAS, the Singh Petroleum Project requires an amendment to the Lathrop Zoning Map in order to be consistent with and to implement the Lathrop General Plan; and

WHEREAS, before approval of the Ordinance, the City Council independently reviewed and considered all written evidence and oral testimony presented to date, including the Environmental Impact Report (consisting of the DEIR and FEIR) prepared for the Singh Petroleum Project and associated entitlements, City staff reports and all information received at the duly noticed public hearings; all of these documents and evidence of which are incorporated herein by reference; and

WHEREAS, before approval of the Ordinance, the City Council reviewed and considered the information contained in the FEIR for the Singh Petroleum Project (SCH #2022120596), and finds that the mitigation measures identified in the FEIR have been imposed on and incorporated in the Singh Petroleum Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated; and

WHEREAS, before approval of the Ordinance, the City Council adopted a Resolution Certifying the Final Environmental Impact Report (Final EIR) (SCH #2022120596), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on May 15, 2024, to consider the PreZone and after reviewing and considering all information provided and submitted, and after taking and considering all public testimony adopted Resolution No. 24-8, recommending the City Council approval of the proposed Ordinance; and

WHEREAS, the City Council finds that the pre-zoning of the project site to Highway Commercial (CH) Zoning classification is consistent with the Lathrop General Plan Land Use Designation of Freeway Commercial (FC); and

WHEREAS, proper notice of this public hearing was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about June 25, 2024, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed the City's Public Hearing subscribers and interested parties and posted at three locations accessible to the public and the City website; and

WHEREAS, the City Council has utilized its own independent judgement in adopting this Ordinance.

NOW, THEREFORE, BE RESOLVED that the City Council of the City of Lathrop based on substantial evidence in the administrative record of proceedings and pursuant to its own independent review and consideration, hereby approves the Zoning Map Amendments, as shown in Attachment 11 of the City Council Staff Report and incorporated by reference herein.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LATHROP DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. This Ordinance incorporates, and by this reference makes part hereof, that certain Zoning Map Amendments, as shown in Attachment 11 of the City Council Staff Report, relative to the proposed development of the Singh Petroleum Project.

Section 2. Zoning Amendment Findings. Pursuant to Chapter 17.124 of the City of Lathrop Municipal Code, the City Council finds and determines as follows:

1. The proposed pre-zoning of the project site to the Highway Commercial (CH) Zoning classification is consistent with the objectives, policies, principles, standards and general land use as specified in the City's General Plan, as amended by the Singh Petroleum Project General Plan Amendment. The proposed pre-zoning for the Singh Petroleum Project to provide zoning standards to allow for urban development consistent with the Freeway Commercial (FC) General Plan Land Use Designation.

2. The proposed pre-zoning of the project site to the Highway Commercial (CH) Zoning classification is consistent with the purpose and objectives of the City of Lathrop zoning ordinance because 1) the amendment provides a zoning classification that guides development of highway commercial uses, of which the Singh Petroleum Project is consistent with and consistent with the Lathrop General Plan; 2) it fosters the wholesome, serviceable and attractive living environment; 3) prevents excessive population densities and overcrowding of land with structures; 4) promotes safe, effective traffic circulation and adequate off-street parking and loading facilities; 5) promotes appropriately located commercial activities in order to preserve and strengthen the city's economic base; 6) enhance real property values and the city's natural assets; 7) ensure unimpeded development of such new urban expansion that is logical, desirable and in conformance with the objectives and policies of the General Plan; and 8) provides and protects open space in accordance with the policies of the General Plan.

Section 3. Upon adoption by the City Council, the Community Development Director is hereby directed to retain said Lathrop Zoning Map, as modified by the proposed related Amendments, on permanent public display in the Community Development Department, Planning Division in the City of Lathrop.

Section 4. Based on the set forth in this Ordinance, the CEQA Resolution, and evidence in the Staff Report, the City Council hereby approves the proposed Ordinance implementing the suggested amendment to the Lathrop Zoning Map. This document shall be substantially in the form on file with the City Clerk.

Section 5. This Ordinance is not intended to and shall not be construed or given effect in the manner that imposes upon the city or any officer or employee thereof a mandatory duty of care toward persons and property within or without the city so as to provide a basis for civil liability for damages, except as otherwise imposed by law.

Section 6. Severability. If any section, subsequent subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

Section 7. Effective Date. This Ordinance shall take legal effect 30 days from and after the date of its passage.

Section 8. Publication. Within fifteen days of the adoption of this Ordinance, the City Clerk shall cause a copy of this Ordinance to be published in full accordance with Section 36933 of the Government Code.

THIS ORDINANCE was regularly introduced at a meeting of the City Council of the City of Lathrop on the 8th day of July 2024, and was PASSED AND ADOPTED at a regular meeting of the City Council of the City of Lathrop on _____, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:


ABSENT:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk



Salvador Navarrete, City Attorney

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING A CONDITIONAL USE PERMIT AND SITE PLAN REVIEW FOR THE SINGH PETROLEUM PROJECT (CUP-20-62 AND SPR-20-63)

WHEREAS, the City of Lathrop City Council held a duly noticed public hearing to consider the Conditional Use Permit and Site Plan review pursuant to the Lathrop Municipal Code; and

WHEREAS, the request is for approval of a Conditional Use Permit and Site Plan Review to allow for the development of regional travel serving uses constructed in 2 phases consisting of gas and diesel facilities for passenger and commercial vehicles, a 16,668 sq. ft. travel center building that includes a convenience market, driver amenities, and 2 Quick Service Restaurants (QSR) with 1 drive-through, a 13,846 sq. ft. 4-bay full service truck and automobile repair facility, and off-street parking for motorists and commercial truck operators on a combined 19.63-acre project site; and

WHEREAS, the properties are located at 169 W. Manila Road and 11296 S. Manthey Road (APNs: 191-250-06 and 191-250-14, respectively); and

WHEREAS, prior to the approval of the Project, the City Council independently reviewed and considered all written evidence and oral testimony presented to date, including the Environmental Impact Report (consisting of the DEIR and FEIR) prepared for the Singh Petroleum Project and associated entitlements, City staff reports and all information received at the duly noticed public hearings; all of these documents and evidence of which are incorporated herein by reference; and

WHEREAS, prior to the approval of the Project, the City Council reviewed and considered the information contained in the FEIR for the Singh Petroleum Project (SCH #2022120596), and finds that the mitigation measures identified in the FEIR have been imposed on and incorporated in the Singh Petroleum Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated; and

WHEREAS, prior to the approval of the Project, the City Council a Resolution Certifying the Final Environmental Impact Report (Final EIR) (SCH #2022120596), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project; and

WHEREAS, the City Council finds that the proposed Project is consistent with the Freeway Commercial (FC) land use goals and policies of the City of Lathrop General Plan and is also consistent with the development standards for the CH, Highway Commercial Zoning District; and

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on May 15, 2024, to consider the General Plan Amendment and after reviewing and considering all information provided and submitted, and after taking and considering all public testimony adopted Resolution No. 24-9, recommending City Council approval of the proposed Conditional Use Permit and Site Plan Review; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about June 25, 2024, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed the City's Public Hearing subscribers and interested parties and posted at three locations accessible to the public and the City website; and

WHEREAS, the City Council has utilized its own independent judgement in adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby make the following findings:

Section 1. Conditional Use Permit Findings. Pursuant to Section 17.112.060 of the Lathrop Municipal Code (LMC), the City Council finds as follows:

- a. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right. *The proposed Project is consistent with the CH, Highway Commercial Zoning District development standards, including but not limited to building height, setbacks, landscaping, off-street parking requirements, and architectural design.*
- b. That the proposed location of the conditional use is in accordance with the objectives of the zoning code and the purposes of the district in which the site is located. *The proposed Project is located at the southwest corner of Roth Road and S. Manthey Road, a location that is designed for freeway commercial uses in the City's General Plan. The proposed Project results in the development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a major travel facility.*

- c. That the proposed use will comply with each of the applicable provisions of the LMC, as amended. *As noted above and as described in the Staff Report, the proposed Project is a permitted use in the CH, Highway Commercial Zoning District and is consistent with the applicable provisions in the LMC, including landscaping and screening requirements.*

Section 2. Site Plan Review Findings. Pursuant to Section 17.100.050 of the Lathrop Municipal Code (LMC), the City Council finds as follows:

- a. The proposed Site Plan Review complies with all applicable provisions of Chapter 17.100;
- b. The proposed Site Plan Review is consistent with the site improvements listed in Chapter 17.100 (a. through i.) and improvements are such that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected and there will not be adverse effects on surrounding properties;
- c. Proposed lighting for the project area is so arranged as to deflect away from adjoining properties; and
- d. The proposed Site Plan Review is compatible with surrounding land uses and will not be detrimental to the health, safety and general welfare of the City as further evaluated in the Final EIR. Mitigation Measures identified in the Final EIR have been imposed on and incorporated in the Singh Petroleum Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, that specific economic, social and other considerations make infeasible the project alternatives that would avoid or mitigate the environmental impacts and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated.

Section 3. Based on the findings set forth in this Resolution and the evidence in the Staff Report, the City Council hereby approves Conditional Use Permit No. CUP-20-62 and Site Plan Review No. SPR-20-63 subject to the Consolidated Conditions of Approval as illustrated and incorporated by reference as Attachment 7 of the City Council Staff Report and the project plans provided in Attachments 8 and 9 of the City Council Staff Report.

BE IT FURTHER RESOLVED that the City Council of the City of Lathrop, based on substantial evidence in the administrative record of proceedings, its above findings, including the staff report and associated attachments, pursuant to its independent review and consideration, does hereby approve Conditional Use Permit No. CUP-20-62 and Site Plan Review No. SPR-20-63, subject to the Consolidated Conditions of Approval listed in Attachment 7 and on the project plans provided in Attachments 8 and 9 of the City Council Staff Report, incorporated by reference herein.

The foregoing resolution was passed and adopted this 8th day of July 2024 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP TO AUTHORIZE CITY STAFF TO SUBMIT AN APPLICATION FOR ANNEXATION OF THE SINGH PETROLEUM PROJECT AREA (ANX-20-64)

WHEREAS, the Singh Petroleum Project includes General Plan Amendment No. GPA-20-60, Pre-Zone No. REZ-20-61, Conditional Use Permit No. CUP-20-62, Site Plan Review No. SPR-20-63, and Annexation No. ANX-20-64; and

WHEREAS, the proposed project includes the development of regional travel serving uses constructed in 2 phases consisting of gas and diesel facilities for passenger and commercial vehicles, a 16,668 sq. ft. travel center building that includes a convenience market, driver amenities, and 2 Quick Service Restaurants (QSR) with 1 drive-through, a 13,846 sq. ft. 4-bay full service truck and automobile repair facility, and off-street parking for motorists and commercial truck operators on a combined 19.63-acre project site; and

WHEREAS, the City of Lathrop City Council held a duly noticed public hearing on July 8, 2024, to consider Annexation of the Singh Petroleum Project area, a total Annexation area of 22.42-acres; and

WHEREAS, before adoption of the Annexation, the City Council independently reviewed and considered all written evidence and oral testimony presented to date, including the Environmental Impact Report (consisting of the DEIR and FEIR) prepared for the Singh Petroleum Project and associated entitlements, City staff reports and all information received at the duly noticed public hearings; all of these documents and evidence of which are incorporated herein by reference; and

WHEREAS, before adoption of the Annexation, the City Council reviewed and considered the information contained in the FEIR for the Singh Petroleum Project (SCH #2022120596), and finds that the mitigation measures identified in the FEIR have been imposed on and incorporated in the Singh Petroleum Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated; and

WHEREAS, before the adoption of the Annexation, the City Council adopted a Resolution Certifying the Final Environmental Impact Report (Final EIR) (SCH #2022120596), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, prior to adoption of the Annexation relating to the Singh Petroleum Project, the City Council has independently reviewed and considered all written evidence and oral testimony presented to date, City staff reports and all information received at the duly noticed public hearing, all of these documents and evidence of which are incorporated here by reference; and

WHEREAS, the City Council finds the 22.42-acre Annexation to be consistent with the adopted 2022 Lathrop General Plan, which was adopted on September 19, 2022; and

WHEREAS, the annexation area is a logical extension of the City's boundary, utilities, and City services can serve the property, and no unincorporated county "island" will be created; and

WHEREAS, the San Joaquin Local Agency Formation Commission (LAFCO) approved the City of Lathrop Municipal Service Review (MSR) and Sphere of Influence (SOI) Update on September 8, 2022 via LAFCO Resolution No. 1488 and 1489, respectively; and

WHEREAS, the 22.42-acre Annexation area is located within the City's existing SOI 10-year Horizon Area, as illustrated in the City of Lathrop MSR and SOI Update Figure 2-6 (Proposed SOI 10-Year Horizon); and

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on May 15, 2024, to consider the Annexation and after reviewing and considering all information provided and submitted, and after taking and considering all public testimony adopted Resolution No. 24-7, recommending City Council approval of the proposed General Plan Amendment; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about June 25, 2024, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed the City's Public Hearing subscribers and interested parties and posted at three locations accessible to the public and the City website; and

WHEREAS, the City Council has utilized its own independent judgement in adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop, based on substantial evidence in the administrative record of proceedings, its above findings, including the staff report and associated attachments, pursuant to its independent review and consideration, does hereby approve the Annexation of the 22.42-acres of land as described above and authorize City staff to submit an annexation application with the San Joaquin Local Agency Formation Commission. The annexation boundary as described in this Resolution is further described in Attachment 12 of the City Council Staff Report, incorporated herein by reference.

The foregoing resolution was passed and adopted this 8th day of July 2024 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

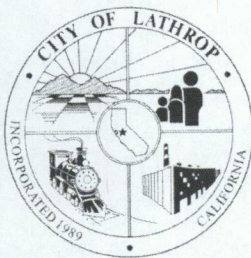
APPROVED AS TO FORM:



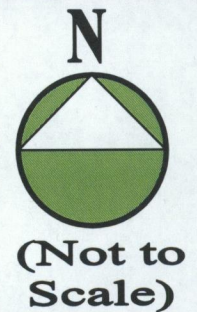
Salvador Navarrete, City Attorney



PLANNING DIVISION
Vicinity Map



GPA-20-60, REZ-20-61, CUP-20-62, SPR-20-63, and ANX-20-64
Singh Petroleum Investments, Inc.
11293 S. Manthey Road and 169 W. Manila Road
APNs: 191-250-06 and 191-250-14



Community Development Department – Planning Division

Consolidated Conditions of Approval

May 15, 2024

Project Name: Singh Petroleum Project
File Numbers: General Plan Amendment No. GPA-20-60, Prezone No. REZ-20-61, Conditional Use Permit No. CUP-20-62, Site Plan Review No. SPR-20-63, and Annexation No. ANX-20-64
Project Address: 169 W. Manila Road and 11293 S. Manthey Road (APNs: 191-250-06 and 191-250-14)

The following list of conditions shall be incorporated into the final construction plans and development phases of the project. The list of conditions are not intended to be all-inclusive or a comprehensive listing of all City or district regulations. Please note that additional comments and/or conditions may be added pending the response to the comments noted below and/or changes to the proposed project. The following comments and conditions of approval are based on the application and diagrams dated March and April, 2023.

PROJECT DESCRIPTION

Approval of this project authorizes the annexation and development of a full service Travel Plaza on a 22.42-acre site, located west of I-5 at the southwest corner of Roth Road and Manthey Road. The proposed project will be developed in two (2) phases. Phase 1 will include passenger and commercial truck access to Manthey Road in its current alignment (parallel to Interstate 5) and extension of Roth Road to the west (half-street) to serve the proposed project. Phase 2 will accommodate the new alignment of Manthey Road to the west and access to Manthey Road in its current alignment will be removed and replaced with a cul-de-sac. Access in Phase 2 will be provided via Roth Road and the new alignment of Manthey Road. The project will include the development of a 16,668 sq. ft. building that will include a retail convenience store, laundry facility, restroom facilities, two (2) Quick Service Restaurants (one with a drive-through), office space, and seating area for patrons to dine, a 13,846 sq. ft. full service 4-bay truck and automobile repair shop, two (2) dog run area enclosed with metal fences, and off-street parking for automobiles and commercial trucks and trailers.

CEQA DETERMINATION

An Environmental Impact Report (EIR) with Mitigation Measures specific to the development of the Singh Petroleum Investments Project was prepared in compliance with the California Environmental Quality Act (CEQA) (SCH #2022120596). The Draft and Final EIR and associated Findings of Fact, Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program (MMRP), are incorporated by reference into this list of Conditions of Approval (attached).

PLANNING

1. The Conditional Use Permit (CUP-20-62) and Site Plan Review (SPR-20-63) shall not be in effect until formal annexation by the San Joaquin Local Agency Formation Commission (SJ LAFCO) (formal annexation shall mean approval by the SJ LAFCO and issuance of the Certificate of Completion).
2. The applicant and/or developer may opt to develop the entire project without phasing.
3. The applicant and/or developer of the project shall comply with, and provide for, the recommended mitigation measures identified in the Singh Petroleum Investments Environmental Impact Report (EIR) (SCH# 2022120596). The Mitigation Monitoring and Reporting Program (MMRP) is incorporated by reference into this list of conditions (attached).
4. Dog runs shall include but not limited to pet waste bag dispenser(s) and trash receptacle(s).
5. The 4-bay shop building employee break area shall include but not limited to seating, shade structures, trash receptacles, and landscaping.
6. The applicant shall extend the noise barrier at the southern boundary of the project south by approximately 150 ft. to adequately screen the above ground tanks and commercial truck and trailer off-street parking spaces.
7. With the exception of parking and storage of truck cabs and truck trailers, outdoor storage is prohibited.
8. On-site fencing shall be maintained and in good working order for the life of the project. Any damage and/or wear-and-tear to the fencing shall be repaired by the applicant/property owner in a timely manner to the satisfaction of the City.
9. Prior to any ground disturbance, the project shall consult with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for biological coverage, mitigation and participation in the plan. Participation in the SJMSCP satisfies requirements of both the State and Federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA).
10. The applicant shall coordinate with the San Joaquin Valley Air Pollution Control District to comply with District rules and regulation including but not limited to Rule 9510, Indirect Source Review. The applicant shall provide proof of compliance prior to building permit issuance.
11. The project shall comply with all applicable site development provisions contained in the Lathrop Municipal Code (LMC) including but not limited to parking, lighting, landscaping, etc.
12. All areas not used for structures, parking, driveways, walkways, or other hardscape shall be landscaped and maintained by the property owner per Section 17.92.030(A)(1) of the Lathrop Municipal Code to the satisfaction of the City.
13. The applicant shall submit appropriate plans to the Community Development Department for plan check and building permit. Final site plan, elevation, landscaping and irrigation, exterior lighting and site improvement plans and details, etc. shall be reviewed and approved by the Planning Division. Any significant change or modification to the approved plan is subject to review and approval by the Community Development Director.

14. Landscaping and irrigation must be consistent with the City's Water Conservation Requirements (LMC 17.92.060) and the State Water Efficient Landscape Ordinance (AB 1881). The applicant shall include with the landscape and irrigation plan a water efficient landscape worksheet with water budget calculations identifying the water allowance and estimated water use.
15. The applicant/property owner shall ensure the entire site including landscaping areas shall be maintained in a healthy, weed free condition to the satisfaction of the City.
16. Trash enclosure(s) shall include but not be limited to a covered roof, metal gate and have three solid walls. Details and/or alternative designs or location shall be subject to review and approval of the Planning, Building, and Public Works Department. The trash enclosure design, material and color shall match or compliment the main building.
17. It shall be the responsibility of the applicant/property owner to ensure that any building or parking area lighting including security lighting associated with the project, be arranged so as to not cast light onto adjoining properties.
18. A final site lighting photometric plan with detailed specifications of all lighting fixtures, poles, and wall packs as well as a manufacturer's catalog sheet containing photometric data, shall be submitted with Building Permits for City review and approval. Parking lots, driveways, trash enclosure/areas shall be illuminated during the hours of darkness with a minimum maintained one foot-candle of light and an average not to exceed four foot-candles of light. The illumination shall not exceed ten (10) foot-candles in any one location. The photometric plan shall include night rendering of the project.
19. No signs are approved for this project. For any exterior signs desired for the project, a separate sign permit application shall be submitted to the Planning Division for review and approval prior to installation. All signage must be in accordance with the applicable standards of the Lathrop Municipal Code.
20. Bicycle parking shall be installed consistent with Chapter 17.76.120 of the LMC.
21. Roof-mounted mechanical equipment shall be screened and not visible from the public right-of-way. Screening materials shall be compatible with the architectural style, materials and color of the building upon which the equipment is located, subject to the approval of the Community Development Director or designee.
22. Ground-mounted equipment that is not required to be visible, such as above ground gasoline and diesel tanks, shall be screened and not visible from the public right-of-way by using the most practical means of screening, such as landscaping, a freestanding wall/fence, matching paint, subject to approval of the Community Development Director or designee.
23. Unless otherwise specified, all conditions of approval shall be complied with prior to the issuance of any Building Permits.
24. CUP-20-62 and SPR-20-63 shall expire thirty-six (36) months from the date of the formal annexation, as defined in Condition of Approval #1 (Planning), by the San Joaquin Local Agency Formation Commission (SJ LAFCo) approval unless:
 - a. All necessary building permits have been secured and remain in force.
 - b. All necessary permits from other agencies have been secured and remain in force.
 - c. An applicant request for one (1) extension of up to twelve (12) months if submitted to the Planning Division prior to the permit expiration date.

25. In the event clarification is required for an interpretation of these Conditions of Approval, the Community Development Director and City Engineer shall have the authority either to administratively clarify the intent and wording of these Conditions of Approval without the requirement of a public hearing or to refer questions regarding the interpretation of these Conditions of Approval to the Planning Commission. If the applicant takes issue with the clarification provided administratively, the applicant shall have the right to appeal the administrative clarification to the Planning Commission. The Community Development Director and City Engineer shall also have the authority to make minor modifications to these conditions provided a request is made in writing by the applicant and it is determined such modifications are consistent with and in furtherance of the underlying intent of the condition being modified.
26. The City of Lathrop may conduct annual and or spot inspections to ensure that compliance with the required site improvements and conditions are being maintained.

BUILDING

1. All construction associated with this project shall comply with the most recent adopted City and State building codes.
2. Special Inspections – As indicated by California Building Code Section 1704, the property owner/developer shall employ one or more special inspectors who shall provide special inspections when required by CBC section 1704. The property owner/developer shall contact the Building Department at time of plan submittal to obtain application for special inspections.
3. The Title Sheet of the plans shall include:

| | |
|--------------------|--|
| Occupancy Group | Type of Construction |
| Occupant Load | Height of Building |
| Description of Use | Floor area of building(s) by occupancy group |
| Area Analysis | Code Used |
4. The property owner/developer shall be responsible for payment of school impact fees prior to the issuance of a building permit.
5. Dimensioned building setbacks and property lines, street centerlines and distances between buildings and structures shall be provided on the project site plan.
6. The project shall be designed to conform with energy conservation measures articulated in Title 24 of the California Code of Regulations and address measures to reduce energy consumption such as flow restrictors for toilets, low consumption light fixtures, and insulation and shall use to the extent feasible draught landscaping.
7. All property lines and easements shall be shown on the site plan. A statement shall be provided that indicates such lines and easements are shown is required.
8. Public and private site improvements shall be designed in accordance with the Americans with Disabilities Act and Chapter 11 of the California Building Code. The site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. The path of travel shall be provided from the public right of way and accessible parking to building. The design professional shall ensure that the site accessibility plan is in compliance with the latest Federal and State regulations. A site accessibility plan shall be required per the attached policy from the link below: https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/building_division/page/24708/site_accessibility_plan_requirements.pdf

9. At the time of building permit application submittal a design professional shall be required to prepare the formal construction plans for proposed improvements per the Business and Professions' Code.
10. Grading and Site Improvement permits from Public Works may be required separately from the accessibility plan in compliance with item 8.

PUBLIC WORKS

1. Traffic
 - a. The applicant shall coordinate with the City of Lathrop Public Works Department to construct the fourth (west) leg of the Manthey Road / Roth Road intersection and modify the intersection from a side-street stop controlled to an all-way stop controlled intersection.
 - b. The applicant shall coordinate with the City of Lathrop Public Works Department to ensure access and egress from the existing driveway / house located directly south of the proposed full access driveway on the current alignment of Manthey Road is maintained and adequate site distance is provided.
 - c. The applicant shall preserve right-of-way along the future Manthey Road re-alignment. The driveways on Manthey Road and Roth Road shall be designed to provide visibility to eliminate potential hazards to pedestrians and adjacent parcels / homes. The design of the driveways shall be reviewed and approved by the Director of Engineering/City Engineer.
 - d. The applicant shall work with the City to refine the design of the re-aligned ultimate Manthey Road to provide a precise plan including the following:
 - i. One southbound through travel lane;
 - ii. One 150-foot southbound left-turn lane;
 - iii. One northbound through travel lane;
 - iv. One northbound shared through / right-turn lane;
 - v. One westbound left-turn lane;
 - vi. One westbound right-turn lane; and
 - vii. One southbound refuge / acceleration lane for vehicles (cars and trucks) exiting the project site and making a left-turn onto southbound Manthey Road.
2. Frontage Improvements
 - a. The applicant shall be required to install full frontage improvements along all frontages of the parcel being developed or improved. Frontage improvements shall include but are not limited to curb, gutter, sidewalk, street lights, hydrants, asphalt concrete paving, striping, driveways, and landscaping. The applicant shall submit the off-site plans for approval along with the applicable plan check and inspection fees.
 - b. The applicant shall underground all existing and new overhead utilities on both sides of the frontage street in compliance with the Lathrop Municipal Code. Overhead power lines in excess of 34.5 KVA are not required to be undergrounded.
 - c. The applicant shall submit an encroachment permit for all work within the public right-of-way and City owned or controlled property.

- d. The applicant shall dedicate all right-of-way (ROW) necessary for the ultimate ROW width of the portions of Roth Road and Manthey Road that are within the boundaries applicant's property. Applicant shall pursue acquisition of the portion of Manthey Road ROW that is not within the boundaries of applicant's property. A 10-foot public utility easement (PUE) shall also be dedicated along all ROW frontages.
 - e. The applicant shall construct Roth Road from the I5 southbound off ramp to the intersection with the ultimate alignment of Manthey road to include the following:
 - i. 7.5 foot sidewalk on the south side only
 - ii. 8 foot bike lane on the south side only
 - iii. One 12 foot eastbound lane
 - iv. One 12 foot westbound lane
 - v. One eastbound right turn lane at the I5 southbound on ramp
 - f. The applicant shall construct Manthey Road in the alignment of the approved Precise Plan to include the following:
 - i. 7.5 foot sidewalks on the east side only
 - ii. 8 foot bike lanes on both sides
 - iii. 12 foot travel lanes on both sides
 - iv. 12 foot buffer/two way left turn lane
 - v. Northbound right turn lane at Roth Road
 - vi. Southbound left turn lane into the project driveway
 - vii. Northbound right turn lane into the project driveway
 - viii. Abandonment of portions of Manila Road and Old Manthey Road
 - ix. Connector roads from Manthey Road to Manila Road
 - g. The applicant shall be eligible for credit and/or reimbursement for the Roth Road and Manthey Road improvements upon acceptance by the City and in accordance with Section 3.22 of the Lathrop Municipal Code.
3. Potable Water
- a. The applicant shall be required to connect to the water utility for domestic supply prior to certificate of occupancy.
 - b. All existing groundwater wells on site shall be abandoned under a permit from San Joaquin County prior to connecting City potable water to the site.
 - c. The applicant shall secure sufficient water capacity for the project and pay all connection fees and reimbursements prior to issuance of the first building permit.
 - d. The closest City water main for connection is located at the intersection of Roth Road and Harlan Road. The applicant shall design the extension of the water main from this location to the Project site to serve the Project as well as other adjacent developments. The applicant shall be responsible for all required permits from Caltrans for the extension of the water main. The applicant shall be eligible for reimbursement of water main costs if the water main benefits other adjacent developments.

4. Sewer

- a. The applicant shall be required to connect to the City sewer system prior to certificate of occupancy for the first building permit within the project.
- b. The applicant shall secure sufficient sewer capacity for the project and pay all connection fees and reimbursements prior to issuance of the first building permit.
- c. All existing on-site wastewater disposal systems shall be abandoned under a permit from San Joaquin County prior to connecting City sewer to the site.
- d. The closest City sewer main for connection is located at the intersection of Roth Road and Harlan Road. The applicant shall design the extension of the sewer main from this location to the Project site to serve the Project as well as other adjacent developments. The applicant shall be responsible for all required permits from Caltrans for the extension of the sewer main. The applicant shall be eligible for reimbursement of water main costs if the water main benefits other adjacent developments.

5. Storm Water

- a. There is currently no storm drain utility available to the Project. The applicant shall retain all storm water onsite in compliance with current City Standard.
- b. The City is working to construct storm drain utility within the new alignment of Harlan Road at Roth Road.
 - i. If Project is constructed prior to the realignment of Harlan Road, the applicant shall install storm drain in Roth Road from the Project site to the future location of the Harlan Road and Roth Road intersection. The City will connect the storm drain to the City system when the realignment of Harlan Road is constructed, at which time the onsite retention basin can be removed and developed.
 - ii. If Project is constructed after the realignment of Harlan Road, the applicant shall install storm drain in Roth Road from the Project site to the existing storm drain utility located at the new Harlan Road and Roth Road intersection.
 - iii. The applicant shall be eligible for reimbursement of storm drain utility costs if the storm drain utility benefits other adjacent developments.
 - iv. The applicant shall be responsible for all required permits from Caltrans for the extension of the storm drain utility.

6. General

- a. The applicant shall retain the services of a California licensed civil engineer to design the project utility plans for sewer, water, storm drain lines and systems.
- b. The applicant shall ensure that all off-site and on-site improvements comply with City Standards.
- c. The applicant shall be required to connect to storm drain utility and pay all applicable connection fees.
- d. All on-site water, sewer, and storm drain systems that are privately owned shall be maintained by the property owner.
- e. Hydrology and hydraulic calculations and plans for on-site storm drainage systems shall be submitted to the City for review and approval.

- f. The applicant shall execute a maintenance agreement for all onsite storm water quality treatment devices, swales, and/or ponds.
- g. The parking areas and drive aisles on site shall be paved with asphalt concrete.
- h. The project shall comply with the Multi-Agency Post Construction Storm Water Manual.
- i. As part of their onsite improvements, the applicant shall install all necessary Best Management Practices (BMP's) for post construction in accordance with City guidelines and standards. The BMP's must be in place prior to final occupancy of the project.
- j. Grading and other construction activities that may cause dust shall be watered to control dust at the City Engineer's direction. A water vehicle shall be available on site for dust control operations at all times during grading operations. The adjacent public street shall be kept free and clean of any project dirt mud, materials, and debris.
- k. The applicant shall pay appropriate fees including, but not limited to, Levee Impact Fee, Capital Facilities Fees, and Plan Check and Inspection Fees.
- l. A geotechnical report shall be submitted for the project, which includes groundwater elevations, percolation rates for retention basins, soil compaction requirements, and recommendations for asphalt paving and concrete. Building PAD certification is required from Geotechnical Engineer and/or Special Inspector.
- m. All water meters shall be installed within the public right of way or public utility easement. The City shall not be the responsible party for maintaining water and sewer lines beyond existing main line stub outs or on private property, unless otherwise agreed to by the City.
- n. The applicant has the option to enter into a reimbursement agreement with the City for construction cost reimbursement of any infrastructure that provides regional benefit.
- o. All improvements shall be designed and constructed per the most current City Standards.
- p. The applicant shall create or participate in a Community Facilities District (CFD) to fund the maintenance of all public infrastructure prior to issuance of the first building permit associated with the project.
- q. If the project is greater than one acre; the applicant shall complete a SWPPP, obtain a WDID number and list the number on the improvement plans, and submit the SWPPP to the City for review and approval.

LATHROP-MANTECA FIRE DISTRICT (LMFD)

- 1. The project shall conform to the most currently adopted edition of the California Fire Code and all related standards.
- 2. Permits shall be obtained from the fire code official. Permit(s) and fees, shall be paid prior to issuance of any and/or all permits. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official. (Permits are to be renewed on an annual basis).

3. Depending on the proposed Occupancy Type & fire area occupant load, Automatic Fire Sprinklers may be required. In the case where automatic fire sprinkler systems are required, such systems shall comply with California Fire Code Section 903.2 and the Tenant/Occupant/Owner shall have the responsibility to ensure that the correct fire suppressions system is added/modified/tested and accepted by the (AHJ) Fire District for review and approval prior to modification. Deferred submittal accepted.
4. Fire Sprinkler System alterations and plans shall be submitted directly to LMFD.
5. Fire Alarm System upgrades and plans shall be submitted directly to LMFD.
6. A means of Ingress and Egress Plan shall be submitted with the project Tenant Improvement Plans.
7. An approved fire alarm system shall be installed in accordance with CFC §907.2 and NFPA 72.
8. Fire Department Development Impact Fees for all new buildings shall be paid in accordance with the City of Lathrop Municipal Code and Resolutions of the adopted fee schedule.
9. An approved Fire Flow test shall be conducted prior to ground breaking to determine allowable Fire Fighting capabilities for the site.
10. An approved water supply for fire protection, either temporary or permanent, shall be made available prior to commencing construction beyond the foundation stage, or as soon as combustible material arrives on the site.
11. Deferred Plan Submittals for Fire Alarm, Fire Sprinklers and Fire Underground shall be submitted directly to LMFD.
12. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with California Fire Code (CFC) Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). Adequate turnaround shall be provided per City of Lathrop Standards and Appendix D of the 2022 CFC.
13. Where access to the development is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, a key “knox” box is required to be installed in an approved location. The key “knox” box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official. In addition to key “knox” box(es), any automatic gates shall have Opticom access ability to provide necessary access for emergency apparatus.
14. Where a portion of the added street is constructed more than 200 feet (61 meters) from a hydrant on a fire apparatus access road, as measured by an approved route, the developer shall provide an additional fire hydrant and main shall be provided. NOTE: The developer shall provide exact locations and distances of existing hydrants in the area. (CFC Appendix C, and City of Lathrop Water System Standards).
15. The developer shall be responsible for providing approved vehicle access for firefighting to all construction and demolition sites. Vehicle access shall be provided to within 100 feet (30,480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

16. The Fire Department Fire Access Roads shall meet the requirements established by the San Joaquin County Fire Chief's Association.
17. The turning radius for his project shall be a minimum of 41 feet for all Emergency Fire Apparatus.
18. Buildings exceed 30 feet in height shall have a minimum unobstructed fire apparatus access width of 26 feet.
19. Commercial cooking equipment that produce grease laden vapors shall be provided with a Type I Hood, in accordance with the California Mechanical Code, and automatic fire extinguishing system that is listed and labeled for its intended use as follows:
 - a. Wet chemical extinguishing system, complying with UL 300
 - b. Carbon dioxide extinguishing systems
 - c. Automatic fire sprinkler systems
20. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 meters) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
21. At LMFD's discretion the proposed project may be subject to other fire & life safety requirements at the time of building plan review.
22. Final approval is subject to field inspections. A minimum 48 to 72-hour notice is required prior to any life-safety fire inspections. Other conditions may apply at time of inspections and are subject to correction.

LATHROP POLICE DEPARTMENT (LPD)

1. The applicant shall paint the address on the roof top for each individual building. The numbers shall be at least 3 feet tall, 2 feet wide, 9 inches apart, with 6-inch brush stroke with a color that contrast the roof top, top of numbers/letters should point north.
2. The applicant shall install dedicated lights in the parking lot that are properly maintained including the drive access.
3. The applicant shall install an indoor and outdoor recording security camera system that shall be maintained by the property owner and accessible to LPD with camera views covering all ingress and egress to all building(s) and parking areas. The quantity and location shall be reviewed and approved by LPD prior to issuance of an occupancy permit.
4. Where access to the development is restricted because of secured openings or where immediate access is necessary for life-saving or emergency purposes, a key "knox" box is required to be installed in an approved location. The key "knox" box shall be of an approved type and shall contain keys to gain necessary access as required by the police chief. In addition to key "knox" box(es), any automatic gates shall have Opticom access ability to provide necessary access for emergency vehicles.
5. The proposed landscaping for this project shall conform to the following CPTED measurements:
 - a. Maintain natural visible surveillance to building from parking lot and street.
 - b. Plants taller than 8 feet shall be trimmed up to 4 feet from ground.
 - c. Plans under 8 feet shall be trimmed to allow ground level surveillance.

ADMINISTRATIVE SERVICES

1. By exercising this approval, the applicant hereby agrees to indemnify, hold harmless and defend the City, its officers, agents, elected and appointed officials, and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this Site Plan Review and Conditional Use Permit to the fullest extent permitted by law.

ACKNOWLEDGEMENT OF TERMS AND CONDITIONS

I have read, understand and acknowledge the Conditions of Approval dated May 15, 2024 and the Mitigation Monitoring and Reporting Program for the Singh Petroleum Project.

DocuSigned by:
Gurbinder Mangat
BBA36796AFBB498
Signature of Applicant(s)

Gurbinder Mangat
Print Applicant(s) Name

05/08/2024
Date

AIRPORT LAND USE COMMISSION COMMENTS, DATED SEPTEMBER 29, 2022



SAN JOAQUIN COUNCIL OF GOVERNMENTS

555 E. Weber Avenue • Stockton, California 95202 • P 209.235.0600 • F 209.235.0438 • www.sjcog.org

September 29, 2022

David Niskanen
Community Development Department
390 Town Centre Drive,
Lathrop, CA 95330

Robert Rickman
CHAIR

David Bellinger
VICE-CHAIR

Diane Nguyen
EXECUTIVE DIRECTOR

Member Agencies
CITIES OF
ESCALON,
LATHROP,
LODI,
MANTECA,
RIPON,
STOCKTON,
TRACY,
AND
THE COUNTY OF SAN
JOAQUIN

Re: GPA-20-60, REZ-20-61, CUP-20-62, SPR-20-63, ANX-20-64;

Dear David Niskanen,

The San Joaquin Council of Governments (SJCOCG), acting as the Airport Land Use Commission (ALUC), has reviewed an application for a full service travel plaza on a 20.8-acre site, located west of I-5 at the south west corner of Roth Road and Manthey Road. Phase 1 will include passenger and commercial truck access to Manthey Road in its current alignment (parallel to I-5) and extension of Roth Road to the west (half-street) to serve the proposed project. Stormwater will be retained onsite, with a retention basin located along the southwestern portion of the project site.

AIRPORT LAND USE COMMISSION'S REVIEW

This project is in the Stockton Metropolitan Airport Influence Area (AIA).

SJCOCG, as ALUC, finds that this project is compatible with the 2018 Stockton Metropolitan Airport Land Use Compatibility Plan (ALUCP) (<https://www.sjcog.org/ALUC>).

SJCOCG would like to provide standards and project design conditions that comply with the Airport Land Use Compatibility Plan as a reference guide. *Note: Jurisdictions determine if the following standards and conditions apply to this project.*

1. New land uses that may cause visual, electronic, or increased bird strike hazards to aircraft in flight shall not be permitted within any airport's influence area. Specific characteristics to be avoided include:
 - a. Glare or distracting lights which could be mistaken for airport lights. Reflective materials are not permitted to be used in structures or signs (excluding traffic directing signs).
 - b. Sources of dust, steam, or smoke which may impair pilot visibility.
 - c. Sources of electrical interference with aircraft communications or navigation. No transmissions which would interfere with aircraft radio communications or navigational signals are permitted.

David Niskanen
Page 2 of 2
9/29/22

- d. Occupied structures must be soundproofed to reduce interior noise to 45 decibel (dB) according to State guidelines.
 - e. Within the airport's influence area, ALUC review is required for any proposed object taller than 100 feet above ground level (AGL).
2. Regardless of location within San Joaquin County, ALUC review is required in addition to Federal Aviation Administration (FAA) notification in accordance with Code of Federal Regulations, Part 77, (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>) for any proposal for construction or alteration under the following conditions:
- a. If requested by the FAA.
 - b. Any construction or alteration that is more than 200 ft. AGL at its site.
 - c. Any construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:
 - i. 100 to 1 for a horizontal distance of 20,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway more than 3,200 ft.
 - ii. 50 to 1 for a horizontal distance of 10,000 ft. of a public use or military airport from any point on the runway of each airport with its longest runway no more than 3,200 ft.
 - iii. 25 to 1 for a horizontal distance of 5,000 ft. of the nearest takeoff and landing area of a public use heliport
 - d. Any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
 - e. Any construction or alteration located on a public use airport or heliport regardless of height or location.

Thank you again for the opportunity to comment. Please contact ALUC staff Isaiah Anderson (209-235-0452 or ianderson@sjcog.org) if you have any questions or comments.

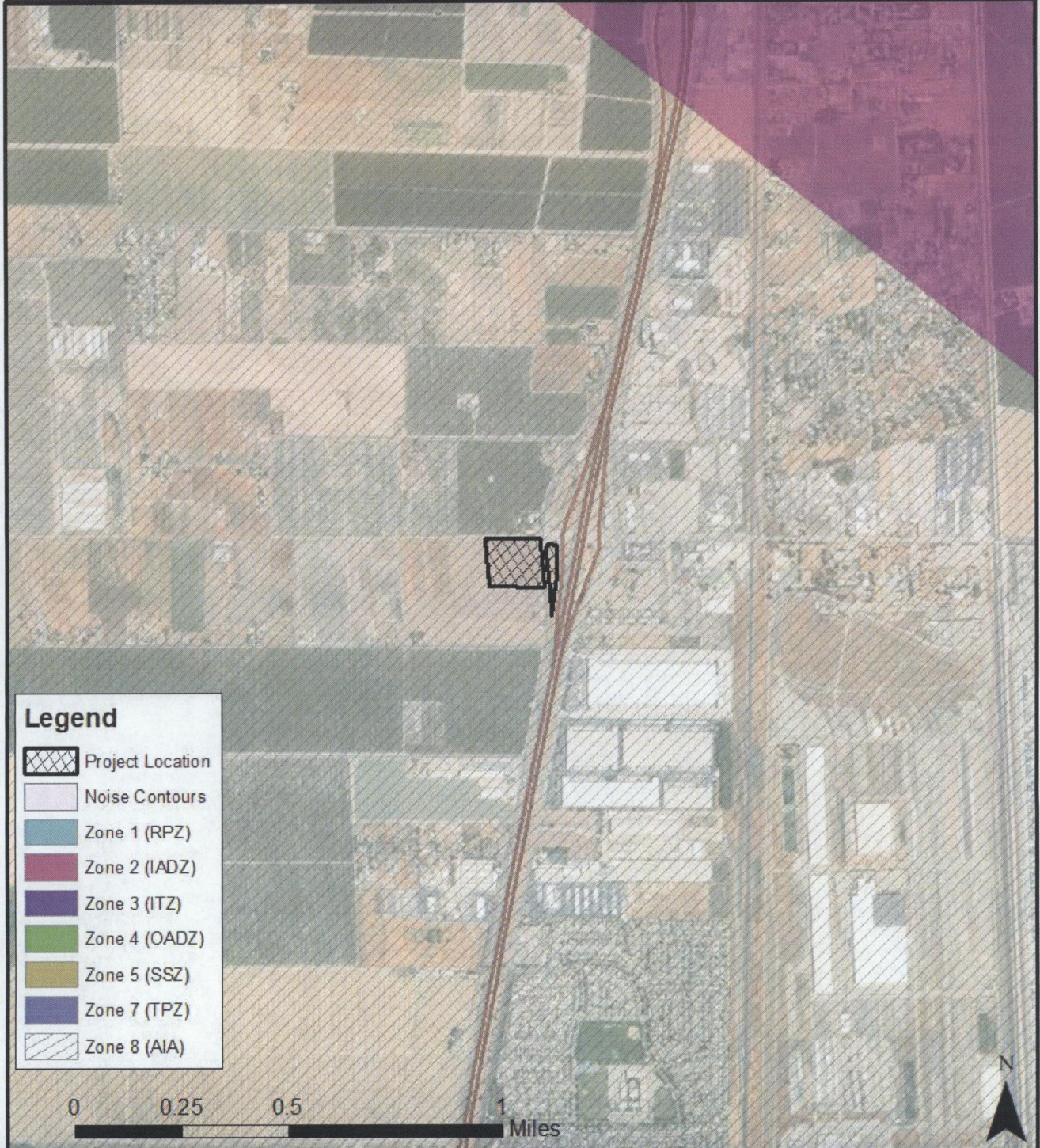
Sincerely,

Timothy Kohaya










Timothy Kohaya
Senior Regional Planner



AIRPORT LAND USE CONSISTENCY REVIEW



Legend

-  Project Location
-  Noise Contours
-  Zone 1 (RPZ)
-  Zone 2 (IADZ)
-  Zone 3 (ITZ)
-  Zone 4 (OADZ)
-  Zone 5 (SSZ)
-  Zone 7 (TPZ)
-  Zone 8 (AIA)

PERMIT NUMBER / PROJECT TITLE: Singh Petroleum Travel Plaza
ADDRESS: 11293 S. Manthey Road & 169 W. Manilla Road
APN: 191-250-14 and -06
AIRPORT / "HAZARD TO FLIGHT" Stockton Metropolitan Airport Influence Area

**SAN JOAQUIN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT COMMENTS,
DATED JUNE 24, 2022**



Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Michael Kith, REHS

Steven Shih, REHS

Michelle Henry, REHS

Elena Manzo, REHS

June 24, 2022

To: City of Lathrop Community Development Department Planning Division
Attention: David Niskanen

From: Aldara Salinas; 209-616-3019
Environmental Health Specialist

JW

RE: **GPA-20-60, REZ-20-61, CUP-20-63, ANX-20-64, Referral, SU0014987**
11293 S. Manthey Rd. and 169 W. Manila Rd., Lathrop

The San Joaquin County Environmental Health Department (EHD) recommends the following conditions as a part of developing this project:

1. Submit two (2) hardcopy sets, or one (1) electronic version, of food facility plans to the Environmental Health Department for review and approval prior to issuance of building permit(s) (California Retail Food Code, Article 1, 114380). The fee will be based on the current schedule at the time of payment.
2. A valid permit from EHD is required prior to operating food facility (California Retail Food Code, Chapter 13, Article 1, Section 14381).
3. Written Confirmation is required from the Public Works Department that improvements have been constructed or financial arrangements have been made for any improvements for public sewer required by the agency. In addition, written confirmation from the Public Works Department that the agency has or will have the sewer capacity to serve the development is also required (San Joaquin County Development Title, Section 9-1100.3).
4. Open, pump, and backfill the septic tank, seepage pit or excavation under permit and inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4). Please refer to EHD Septic Permit # 68-548.
5. Destroy the abandoned well(s) under permit and inspection by the Environmental Health Department as required by San Joaquin County Development Title, Section 9-1115.5(e). Agricultural well Permit # 78-364.
6. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).
7. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) at cers.calepa.ca.gov/ and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases). The applicant may contact the Program Coordinator of the CUPA program, Michelle Henry (209) 468-3454, with any questions.

- a. Any amount but not limited to the following hazardous waste; hazardous material spills, used oil, used oil filters, used oil-contaminated absorbent/debris, waste antifreeze, used batteries or other universal waste, etc. – **Hazardous Waste Program** (Health & Safety Code (HSC) Sections 25404 & 25180 et sec.)
- b. Onsite treatment of hazardous waste – **Hazardous Waste Treatment Tiered Permitting Program** (HSC Sections 25404 & 25200 et sec. & California Code of Regulations (CCR), Title 22, Section 67450.1 et sec.)
- c. Reportable quantities of hazardous materials-reportable quantities are 55 gallons or more of liquids, 500 pounds for solids, or 200 cubic feet for compressed gases, with some exceptions. Carbon dioxide is a regulated substance and is required to be reported as a hazardous material if storing 1,200 cubic feet (137 pounds) or more onsite in San Joaquin County – **Hazardous Materials Business Plan Program** (HSC Sections 25508 & 25500 et sec.)
- d. Any amount of hazardous material stored in an Underground Storage Tank – **Underground Storage Tank Program** (HSC Sections 25286 & 25280 et sec.)
 - i. If an underground storage tank (UST) system will be installed, a permit is required to be submitted to, and approved by, the San Joaquin County Environmental Health Department (EHD) before any UST installation work can begin.
 - ii. Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
- e. Storage of at least 1,320 gallons of petroleum aboveground or any amount of petroleum stored below grade in a vault – **Aboveground Petroleum Storage Program** (HSC Sections 25270.6 & 25270 et sec.)
 - i. **Spill Prevention, Countermeasures and Control (SPCC) Plan requirement**
- f. Threshold quantities of regulated substances stored onsite - **California Accidental Release Prevention (CalARP) Program** (Title 19, Section 2735.4 & HSC Section 25531 et sec.)
 - i. **Risk Management Plan requirement for covered processes**

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the Singh Petroleum Investments (Project). This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” A FMMRP is required for the proposed Specific Plan because the EIR has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the Draft EIR.

4.1 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR.

The City of Lathrop will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the Specific Plan.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the Draft EIR in the same order that they appear in that document.
- **Mitigation Timing:** Identifies at which stage of the project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification:** This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 4.0-1: MITIGATION MONITORING AND REPORTING PROGRAM

| ENVIRONMENTAL IMPACT | MITIGATION MEASURE | MONITORING RESPONSIBILITY | TIMING | VERIFICATION (DATE/INITIALS) |
|--|--|--|---|------------------------------|
| AIR QUALITY | | | | |
| Impact 3.3-3: The proposed Project could expose sensitive receptors to substantial pollutant concentrations | Mitigation Measure 3.3-1: During Project operation, the proposed Project shall comply with the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480), which provides idling restrictions for diesel-fueled commercial vehicles. Therefore, the Project applicant shall post signs throughout the Project site, as appropriate, identifying and/or summarizing the applicable idling limitations consistent with these requirements. | City of Lathrop Planning Division | During Project operation | |
| | Mitigation Measure 3.3-2: The Project applicant shall require the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers. | City of Lathrop Planning Division | Prior to approval of the final Project plans | |
| BIOLOGICAL RESOURCES | | | | |
| Impact 3.4-1: The proposed Project would not have a substantial direct or indirect effect on special-status invertebrate species, including through substantial reduction of habitat, substantial reduction of the number or restriction in the range of a listed species, elimination of an animal community, or a drop in population levels below self-sustaining levels | Mitigation Measure 3.4-1: The Project applicant shall implement the following measure to avoid or minimize impacts on special-status bumble bees: A qualified biologist(s) shall conduct a preconstruction survey with 7 days of the commencement of work. If special-status bees of any species are observed, they shall be photographed for identification. If construction begins between March 1 and November 1, the ground shall also be searched during the survey for active bumble bee colonies. If bee colonies are identified, these colonies shall be demarcated with a flagged avoidance buffer, as determined by a qualified biologist and shall be avoided during the active season from March 1 through November 1, or until the qualified biologist has determined that the colony is no longer active or until the colony is relocated. | City of Lathrop Planning Division Qualified biologist | Within 7 days of the commencement of work | |
| | Mitigation Measure 3.4-2: Prior to commencement of any grading activities, the Project proponent shall obtain coverage under the SJMSCP to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through implementation of incidental take and minimization Measures (ITMMs) and payment of fees for conversion of lands that may provide habitat for covered special status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. Obtaining coverage for a Project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a), California Fish and Game Code Section 2081, and the MBTA. Coverage under the SJMSCP would fully mitigate all habitat | City of Lathrop Planning Division SICOG | Prior to commencement of any grading activities | |
| Impact 3.4-2: The proposed Project has the potential to have substantial direct or indirect effects on special-status reptile and amphibian species, including through substantial reduction of habitat, substantial reduction of the number or restriction in the range of a listed species, elimination of a reptile or amphibian community, or a drop | | | | |

MITIGATION MONITORING AND REPORTING PROGRAM 4.0

| ENVIRONMENTAL IMPACT | MITIGATION MEASURE | MONITORING RESPONSIBILITY | TIMING | VERIFICATION (DATE/INITIALS) |
|---|---|--|---|------------------------------|
| in population levels below self-sustaining levels | <i>impacts on covered special-status species.</i> | | | |
| Impact 3.4-3: The proposed Project has the potential to have substantial direct or indirect effects on special-status bird species, including through substantial reduction of habitat, substantial reduction of the number or restriction in the range of a listed species, elimination of a bird community, or a drop in population levels below self-sustaining levels | Implement Mitigation Measure 3.4-2. | See Mitigation Measure 3.4-2 | See Mitigation Measure 3.4-2 | |
| Impact 3.4-4: The proposed Project has the potential for substantial direct or indirect effects on special-status mammal species, including through substantial reduction of habitat, substantial reduction of the number or restriction of the range of a listed species, elimination of a mammal community, or a drop in population levels below self-sustaining levels | Implement Mitigation Measure 3.4-2. | See Mitigation Measure 3.4-2 | See Mitigation Measure 3.4-2 | |
| Impact 3.4-10: The proposed Project has the potential to conflict with an adopted Habitat Conservation Plan | Implement Mitigation Measure 3.4-2. | See Mitigation Measure 3.4-2 | See Mitigation Measure 3.4-2 | |
| CULTURAL AND TRIBAL RESOURCES | | | | |
| Impact 3.5-1: Project implementation has the potential to cause a substantial adverse change to a significant historical or archaeological resource, as defined in CEQA Guidelines §15064.5 | Mitigation Measure 3.5-1: <i>If subsurface deposits believed to be cultural, historical, archaeological, tribal, and/or human in origin are discovered during construction and/or ground disturbance, all work must halt within a 100-foot radius of the discovery. A Native American Representative from traditionally and culturally affiliated Native American Tribes that requested consultation shall be immediately contacted and invited to assess the significance of the find and make recommendations for further evaluation and treatment, as necessary. If deemed necessary by the City, a qualified</i> | City of Lathrop Planning Division Qualified archaeologist | If subsurface deposits believed to be cultural, historical, archaeological, tribal, and/or human in | |

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

| ENVIRONMENTAL IMPACT | MITIGATION MEASURE | MONITORING RESPONSIBILITY | TIMING | VERIFICATION (DATE/INITIALS) |
|----------------------|---|---------------------------|--|------------------------------|
| | <p>cultural resources specialist meeting the Secretary of Interior's Professional Qualifications Standards for Archaeology, may also assess the significance of the find in joint consultation with Native American Representatives to ensure that Tribal values are considered. Work at the discovery location cannot resume until it is determined by the City, in consultation with culturally affiliated tribes, that the find is not a tribal cultural resource, or that the find is a tribal cultural resource and all necessary investigation and evaluation of the discovery under the requirements of the CEQA, including AB 52, has been satisfied. The qualified cultural resources specialist shall have the authority to modify the no-work radius as appropriate, using professional judgement. The following notifications and measures shall apply to potential unique archaeological resources and potential historical resources of an archaeological nature (as opposed to tribal cultural resources), depending on the nature of the find:</p> <ul style="list-style-type: none"> • If the professional archaeologist determines that the find does not represent a cultural resource that might qualify as a unique archaeological resource or historical resource of an archaeological nature, work may resume immediately and no agency notifications are required. • If the professional archaeologist determines that the find does represent a cultural resource that might qualify as a unique archaeological resource or historical resource of an archaeological nature from any time period or cultural affiliation, he or she shall immediately notify the City and applicable landowner. The professional archaeologist and a representative from the City shall consult to determine whether any unique archaeological resources or historical resources of an archaeological nature are present, in part based on a finding of eligibility for inclusion in the NRHP or CRHR. If it is determined that unique archaeological resources or historical resources of an archaeological nature are present, the qualified archaeologist shall develop mitigation or treatment measures for consideration and approval by the City. Mitigation shall be developed and implemented in accordance with Public Resources Code Section 21083.2 and Section 15126.4 of the CEQA Guidelines, with a preference for preservation in place may be with Section 15126.4(b)(3), preservation in place may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If approved by the City, such measures shall | | <p>origin are discovered during construction and/or ground disturbance</p> | |

MITIGATION MONITORING AND REPORTING PROGRAM 4.0

| ENVIRONMENTAL IMPACT | MITIGATION MEASURE | MONITORING RESPONSIBILITY | TIMING | VERIFICATION (DATE/INITIALS) |
|----------------------|--|---------------------------|--------|------------------------------|
| | <p>be implemented and completed prior to commencing further work for which grading or building permits were issued, unless otherwise directed by the City. Avoidance or preservation of unique archaeological resources or historical resources of an archaeological nature shall not be required where such avoidance or preservation in place would preclude the construction of important structures or infrastructure or require exorbitant expenditures, as determined by the City. Where avoidance or preservation are not appropriate for these reasons, the professional archaeologist, in consultation with the City, shall prepare a detailed recommended a treatment plan for consideration and approval by the City, which may include data recovery. If employed, data recovery strategies for unique archaeological resources that do not also qualify as historical resources of an archaeological nature shall follow the applicable requirements and limitations set forth in Public Resources Code Section 21083.2. Data recovery will normally consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim of recovering important scientific data contained within the unique archaeological resource or historical resource of an archaeological nature. The data recovery plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and State repositories, libraries, and interested professionals. If data recovery is determined by the City to not be appropriate, then an equally effective treatment shall be proposed and implemented. Work may not resume within the no-work radius until the City, in consultation with the professional archaeologist, determines that the site either: 1) does not contain unique archaeological resources or historical resources of an archaeological nature; or 2) that the preservation and/or treatment measures have been completed to the satisfaction of the City.</p> <ul style="list-style-type: none"> • If the find includes human remains, or remains that are potentially human, the contractor shall ensure reasonable protection measures are taken to protect the discovery from disturbance (AB 2641). The archaeologist shall notify the County Coroner (per Section 7050.5 of the Health and Safety Code). The provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. If the Coroner determines the remains are Native American and not | | | |

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

| ENVIRONMENTAL IMPACT | MITIGATION MEASURE | MONITORING RESPONSIBILITY | TIMING | VERIFICATION (DATE/INITIALS) |
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| <p>Impact 3.5-2: Project implementation has the potential to disturb human remains, including those interred outside of formal cemeteries</p> <p>Impact 3.5-3: Project implementation has the potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074</p> | <p>the result of a crime scene, then the Coroner will notify the Native American Heritage Commission, which then will designate a Native American Most Likely Descendant (MLD) for the project (§5097.98 of the Public Resources Code). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, then the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a reinterment document with the county in which the property is located (AB 2641). Work may not resume within the no-work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction.</p> <p>Implement Mitigation Measure 3.5-1.</p> | See Mitigation Measure 3.5-1 | See Mitigation Measure 3.5-1 | |
| <p>Impact 3.6-3: The proposed Project has the potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Project implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse</p> | <p>Implement Mitigation Measure 3.5-1.</p> | See Mitigation Measure 3.5-1 | See Mitigation Measure 3.5-1 | |
| GEOLOGY AND SOILS | | | | |
| <p>Impact 3.6-3: The proposed Project has the potential to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Project implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse</p> | <p>Mitigation Measure 3.6-1: Prior to the start of ground disturbing activities, a geotechnical engineer shall review project improvement plans (including but not limited to grading plans and site plans) to identify potential conflicts and to verify that the recommendations contained in the Geotechnical Engineering Investigation completed for the project (CTE CAL, Inc., 2022) (Appendix D of the Draft EIR) are noted on project improvement plans. The recommendations are generally outlined in Mitigation Measure 3.6-2 while the complete recommendations are included in Chapter 5 of the Geotechnical Engineering Investigation.</p> | City of Lathrop Planning Division | Prior to the start of ground disturbing activities | |

MITIGATION MONITORING AND REPORTING PROGRAM 4.0

| ENVIRONMENTAL IMPACT | MITIGATION MEASURE | MONITORING RESPONSIBILITY | TIMING | VERIFICATION (DATE/INITIALS) |
|----------------------|--|--|---|------------------------------|
| | <p>Mitigation Measure 3.6-2: All grading operations and construction shall be conducted in conformance with the recommendations included in the Geotechnical Engineering Investigation for Singh Petroleum Investments Percolation (CTE CAL, Inc., 2022) (Appendix D of the Draft EIR). Specific recommendations in the Geotechnical Engineering Investigation address the following and shall be incorporated into the final Project plans and construction-level geotechnical report:</p> <ol style="list-style-type: none"> 1. The Project proponent shall ensure that any loose, wet or otherwise unstable soil in the Project site shall be excavated and evaluated by Construction Testing & Engineering, Inc. (CTE) for possible re-use as engineered fill or disposed of offsite. Utilities that extend into the construction area and are scheduled to be abandoned shall be properly capped at the perimeter of the construction zone or moved as directed in the plans. A licensed Geotechnical Engineer shall observe and confirm that all asphalt and concrete debris, vegetation, and other organic material has been adequately removed in all proposed improvement areas. 2. Reinforced continuous and isolated spread footing foundations shall be used to support the proposed structures as the subject site consistent with the recommendations provided in Section 5.4, Lateral Load Resistance, provided in the Geotechnical Engineering Investigation. 3. Shallow footings shall be designed to resist lateral loads using the coefficient of friction. 4. Free draining retaining walls backfilled using permeable onsite soils or import fill, shall be designed using the equivalent fluid weights consistent with the recommendations provided in Section 5.5, Retaining Walls, provided in the Geotechnical Engineering Investigation. 5. Utility trenches placed along the perimeter of proposed foundations shall be constructed consistent with Section 5.6, Foundation Setback, provided in the Geotechnical Engineering Investigation. 6. All concrete slabs-on-ground placed beneath the structures shall be constructed consistent with Section 5.7, Concrete Slabs-On-Grade, provided in the Geotechnical Engineering Investigation. 7. All pavements shall be designed and constructed according to California Department of Transportation (Caltrans) standards consistent with Section 5.9, Pavement Section Alternatives, recommendations provided in the Geotechnical Engineering | <p>City of Lathrop Planning Division</p> | <p>Prior to approval of the final Project plans</p> | |

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

| ENVIRONMENTAL IMPACT | MITIGATION MEASURE | MONITORING RESPONSIBILITY | TIMING | VERIFICATION (DATE/INITIALS) |
|----------------------|--|---------------------------|--------|------------------------------|
| | <p>Investigation. The subgrade beneath all pavements shall be moisture conditioned and compacted in accordance with Table 5.2 of the Geotechnical Engineering Investigation as per ASTM D1557.</p> <p>8. Ground conditions shall be consistent with Section 5.10, Drainage, provided in the Geotechnical Engineering Investigation.</p> <p>9. The project shall be consistent with Section 5.8, Seismic Design Criteria, provided in the Geotechnical Engineering Investigation.</p> <p>10. The exposed over excavated surface shall then be scarified to a depth of approximately 12 inches, moisture conditioned and recompacted to the moisture and relative compaction required in Table 5.2 of the Geotechnical Engineering Investigation. Moisture density relationship shall be established in accordance with ASTM D1557. The compaction percent listed in Table 5.2 shall be based on percent relative compaction when compared to the maximum dry density determined in accordance with ASTM D1557. Additional engineered fill, if required, shall then be placed in 8 inch loose lifts, moisture conditioned and compacted in accordance with Table 5.2. After stripping in pavement improvement areas is conducted, the stripped areas shall be over excavated to 12 inches below the proposed pavement subgrade. The excavated surface shall then be scarified to a minimum depth of 12 inches, moisture conditioned and recompacted to the moisture and relative compaction required in Table 5.2. Moisture-density relationship shall be established in accordance with ASTM D1557. Proof rolling with heavy equipment shall be performed with CTE Cal present to confirm that subgrade is compacted, stable and does not deflect under heavy equipment loads. Additional engineered fill, if required, shall then be placed in 8-inch loose lifts, moisture conditioned and compacted in accordance with Table 5.2.</p> <p>Import soils proposed for engineered fill shall consist of soil deposits having an Expansion Index $EI < 20$ or liquid limit less than 30 ($LL < 12$), with no particles greater than 3 inches and 20 to 80% of the soil particles passing the #200 sieve. Imported fill meeting these requirements shall be placed in 8 inch loose lifts, moisture conditioned and compacted to the moisture content and percent relative compaction stated in table 5.2. A CTE representative shall approve all imported soils prior to delivery to the site.</p> <p>If unanticipated, unsuitable or unstable materials are encountered at the surface improvement subgrade or structure over-excavation such that proper compacted and stable materials cannot be obtained, over-excavations to remove such materials may be</p> | | | |

MITIGATION MONITORING AND REPORTING PROGRAM 4.0

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| <p>Impact 3.6-5: The proposed Project has the potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature</p> | <p>required. A licensed Geotechnical Engineer shall inspect and approve all structure over-excavations, pavement and surface improvement subgrade areas to confirm that adequate soil conditions have been reached. The geotechnical engineer shall also observe and approve the scarification, moisture conditioning and recompaction of the excavated surfaces and the placement of all engineered fill.</p> <p>11. All earthworks shall be observed and tested by a licensed Geotechnical Engineer to verify that grading activity has been performed according to the recommendations contained within the Geotechnical Engineering Investigation prepared for the Project. The project engineer shall evaluate all footing excavations before reinforcing steel placement. To assure that the recommendations contained within the Geotechnical Engineering Investigation are adhered to the following minimum inspection and testing services shall be performed with regard to the geotechnical design of the project.</p> <ol style="list-style-type: none"> a. Continuous observation and testing during mass grading. b. Footing excavation inspection. c. Periodic Utility trench backfill testing for moisture and relative compaction. d. Slab subgrade inspection and testing prior to the placement of capillary moisture break materials for moisture and relative compaction. e. Pavement Class 2 Base inspection and testing prior to the placement of asphalt or concrete pavement. f. Asphalt relative compaction testing during pavement placement. <p>12. During Project construction, the Project proponent shall ensure that the areas underlying proposed structures be over excavated to the depth stated in Table 5.2 of the Geotechnical Engineering Investigation prepared for the Project by Construction Testing & Engineering, Inc. (CTE). The building pad over excavation shall extend to a minimum distance of at least 5 feet outside of all proposed structure areas if possible.</p> <p>Mitigation Measure 3.6-3: Prior to approval of a grading permit, the Project proponent shall ensure that grading and improvement plans include the following note: "If any paleontological resources are found during grading and construction activities of the Project, all work shall be halted immediately within a 200-foot radius of the discovery until a qualified paleontologist has evaluated the find. Work shall not continue at the</p> | | | |
| | | City of Lathrop Planning Division | Prior to approval of a grading permit | |

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

| ENVIRONMENTAL IMPACT | MITIGATION MEASURE | MONITORING RESPONSIBILITY | TIMING | VERIFICATION (DATE/INITIALS) |
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| | discovery site until the paleontologist evaluates the find and makes a determination regarding the significance of the resource and identifies recommendations for conservation of the resource, including preserving in place or relocating on the Project site, if feasible, or collecting the resource to the extent feasible and documenting the find with the University of California Museum of Paleontology." | | | |
| HAZARDS AND HAZARDOUS MATERIALS | | | | |
| Impact 3.8-1: Potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment | <p>Mitigation Measure 3.8-1: Prior to approval of grading plans for the Project site, the Project applicant shall hire a qualified consultant to perform additional soil and site testing. The following areas of the Project site have already been deemed to have potentially hazardous conditions present:</p> <ul style="list-style-type: none"> • Petroleum: The eastern portion of the Project site where several drums of waste oil, oil, oil filters and paint were previously dumped and impacted the soil. • Agrichemicals: The portions of the Project site which were previously used for agricultural uses. <p>The intent of the additional testing is to investigate whether soils contain hazardous materials, including petroleum products or agrichemicals (including pesticides, herbicides, diesel, petrochemicals, etc.).</p> <p>A soil sampling and analysis workplan shall be submitted for approval the San Joaquin County Environmental Health Department prior to the work. The sampling and analysis plan shall meet the requirements of the Department of Toxic Substances Control Interim Guidance for Sampling Agricultural Properties (2008), and the County Department of Environmental Resources Recommended Soil and Groundwater Sampling for Underground Tank Investigations (2013).</p> <p>If the sampling results indicate the presence of agrichemicals that exceed commercial screening levels, a removal action workplan shall be prepared in coordination with San Joaquin County Environmental Health Department. The removal action workplan shall include a detailed engineering plan for conducting the removal action, a description of the onsite contamination, the goals to be achieved by the removal action, and any alternative removal options that were considered and rejected and the basis for that rejection. A no further action letter shall be issued by San Joaquin County Environmental Health Department upon completion of the removal action. The removal action shall be deemed complete when the confirmation samples exhibit</p> | City of Lathrop Planning Division | Prior to approval of grading plans for the Project site | |

MITIGATION MONITORING AND REPORTING PROGRAM 4.0

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| | <p>concentrations below the commercial screening levels, which will be established by the agencies.</p> <p>Mitigation Measure 3.8-2: Prior to bringing hazardous materials onsite, the applicant shall submit a Hazardous Materials Business Plan (HMBP) to the San Joaquin County Environmental Health Department (CUPA) for review and approval. If during the construction process the applicant or any subcontractors generates hazardous waste, the applicant must register with the CUPA as a generator of hazardous waste, obtain an EPA ID# and accumulate, ship and dispose of the hazardous waste per Health and Safety Code Ch. 6.5. (California Hazardous Waste Control Law).</p> <p>Mitigation Measure 3.8-3: Prior to initiation of any ground disturbance activities within 50 feet of a well, the applicant shall hire a licensed well contractor to obtain a well destruction permit from San Joaquin County Environmental Health Department, and properly abandon and destruct the onsite wells, pursuant to review and approval of the City Engineer and the San Joaquin County Environmental Health Department.</p> | <p>City of Lathrop Planning Division</p> <p>City of Lathrop Planning Division</p> | <p>Prior to bringing hazardous materials onsite</p> <p>Prior to initiation of any ground disturbance activities within 50 feet of a well</p> | |
| Noise | | | | |
| <p>Impact 3.11-1: The proposed Project has the potential to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies</p> | <p>Mitigation Measure 3.11-1: The proposed noise barrier at the northern boundary of the project must be extended an additional 35 feet to the west to adequately shield the entire outdoor area of the sensitive receptor to the north. The total wall length should be at least 250 feet. The extended barrier is depicted in Figure 3.11-3.</p> <p>Mitigation Measure 3.11-2: The following multi-part mitigation measure shall be implemented during construction of the Project:</p> <ul style="list-style-type: none"> • Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be prohibited between the hours of ten p.m. of one day and seven a.m. of the next day, or eleven p.m. and nine a.m. Fridays, Saturdays and legal holidays. • Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. • When not in use, motorized construction equipment shall not be left | <p>City of Lathrop Planning Division</p> <p>City of Lathrop Planning Division</p> | <p>Prior to approval of improvement plans</p> <p>Prior to approval of improvement plans</p> | |

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

| ENVIRONMENTAL IMPACT | MITIGATION MEASURE | MONITORING RESPONSIBILITY | TIMING | VERIFICATION (DATE/INITIALS) |
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| | <ul style="list-style-type: none"> idling for more than 5 minutes. Stationary equipment (power generators, compressors, etc.) shall be located at the furthest practical distance from nearby noise-sensitive land uses or sufficiently shielded to reduce noise-related impacts. <p>These requirements shall be noted on the Project improvement plans and implemented prior to approval of grading and/or building permits. The City of Lathrop Community Development Department shall review and approve the improvements plans.</p> | | | |
| TRANSPORTATION AND CIRCULATION | | | | |
| <p>Impact 3.13-1: Implementation of the proposed Project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities</p> | <p>Mitigation Measure 3.13-1: The Project applicant shall coordinate with the City to construct sidewalks along the Project frontage on Roth Road and Manthey Road and also preserve right-of-way along the future Manthey Road re-alignment. The driveways on Manthey Road and Roth Road shall be designed to provide visibility to eliminate potential hazards to pedestrians and adjacent parcels / homes. The design of the driveways shall be reviewed and approved by the Director of Engineering/City Engineer. The Project applicant shall work with the City to refine the design of the re-aligned Manthey Road at the Project driveway to provide the following:</p> <ul style="list-style-type: none"> One southbound through travel lane; One 150-foot southbound left-turn lane; One northbound through travel lane' One northbound shared through / right-turn lane; One westbound left-turn lane; One westbound right-turn lane; and One southbound refuge / acceleration lane for vehicles (cars and trucks) exiting the project site and making a left-turn onto southbound Manthey Road. | City of Lathrop Planning Division | Prior to approval of improvement plans | |
| <p>Impact 3.13-3: Implementation of the proposed Project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)</p> | <p>This requirement shall be noted on the Project improvement plans. Implement Mitigation Measure 3.13-1.</p> <p>Mitigation Measure 3.13-2: The Project applicant shall coordinate with the City to begin the Project Study Report / Project Development Support (PSR/PDS) project initiation document which shall be used to program the project development support for State Transportation Improvement Program (STIP) and San Joaquin Council of Governments (SjCOG) Regional</p> | See Mitigation Measure 3.13-1 City of Lathrop Public Works Department | See Mitigation Measure 3.13-1 Prior to approval of improvement plans | |

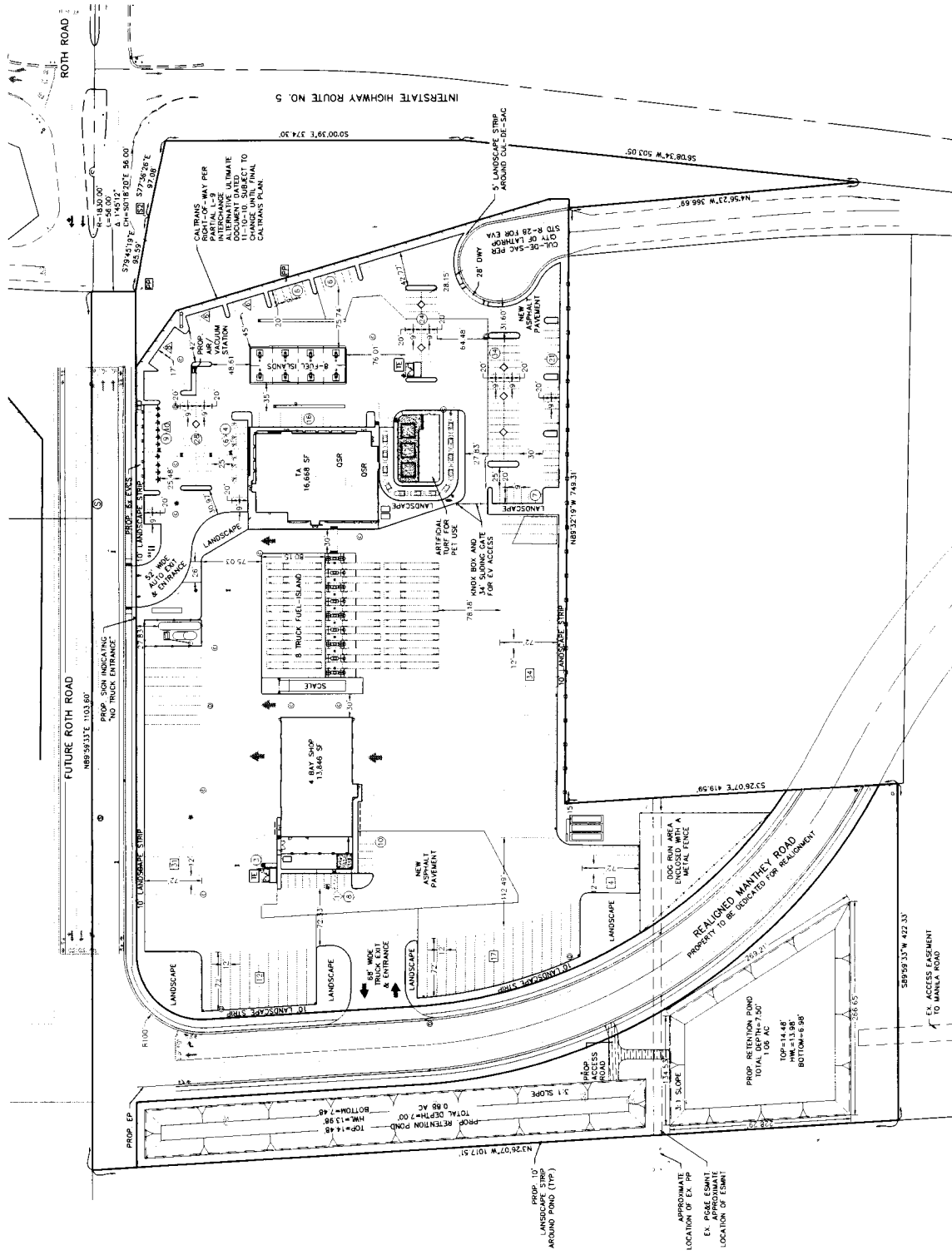
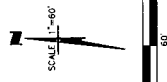
MITIGATION MONITORING AND REPORTING PROGRAM 4.0

| ENVIRONMENTAL IMPACT | MITIGATION MEASURE | MONITORING RESPONSIBILITY | TIMING | VERIFICATION (DATE/INITIALS) |
|----------------------|--|---|---|------------------------------|
| | <p><i>Transportation Plan / Sustainable Communities Strategy (RTP/SCS) funding.</i></p> <p>Mitigation Measure 3.13-3: <i>The Project applicant shall coordinate with the City of Lathrop Public Works Department to construct the fourth (west) leg of the Manthey Road / Roth Road intersection and modify the intersection from a side-street stop controlled to an all-way stop controlled intersection. This requirement shall be noted on the Project improvement plans.</i></p> <p>Mitigation Measure 3.13-4: <i>The Project applicant shall coordinate with the City of Lathrop Public Works Department to ensure access and egress from the existing driveway / house located directly south of the proposed full access driveway on the current alignment of Manthey Road is maintained and adequate site distance is provided. This requirement shall be noted on the Project improvement plans.</i></p> | <p>City of Lathrop Public Works Department</p> <p>City of Lathrop Public Works Department</p> | <p>Prior to approval of improvement plans</p> <p>Prior to approval of improvement plans</p> | |

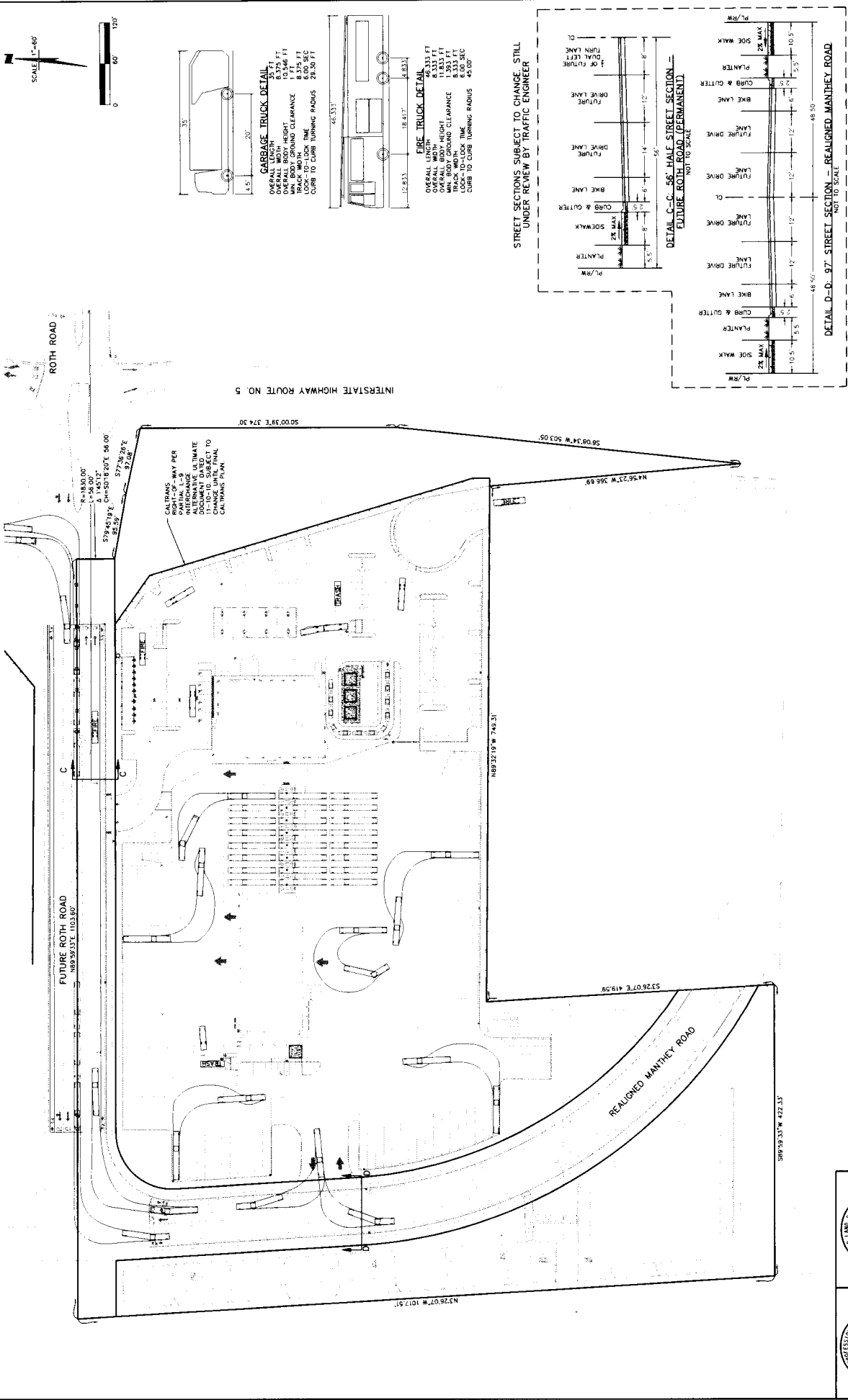
PHASE II SITE PLAN FOR
SINGH PETROLEUM INVESTMENTS, INC
 11293 S. MANTHEY RD
 LATHROP, CA 95330

| | |
|--------------------------------------|--|
| APN: | 191-250-14 & 191-250-08 |
| LANDSCAPE: | TRAVEL AREA (188) |
| TRUCK/TRAILER PARKING (17X717) | 58 SPACES |
| FUELING & GAS/DIESEL PARKING (12X12) | 2 SPACES |
| PASSENGER VEHICLE | 178 REGULAR (9'X20') 20 COMPACT (8'X17') |
| EV PARKING | 1 VAN ACCESSIBLE (12'X20') 9 STANDARD ACCESSIBLE (9'X20') |

| PROPOSED | EXISTING |
|------------------------------------|------------------------------------|
| PROPERTY LINE | PROPERTY LINE |
| CENTER LINE | CENTER LINE |
| SEWER LINE | SEWER LINE |
| STORM DRAIN LINE | STORM DRAIN LINE |
| WATER LINE | WATER LINE |
| FENCE LINE | FENCE LINE |
| OVERHEAD ELEC. LINE | OVERHEAD ELEC. LINE |
| FIRE HYDRANT | FIRE HYDRANT |
| POWER POLE | POWER POLE |
| WATER VALVE | WATER VALVE |
| STORM DRAIN CATCH BASIN | STORM DRAIN CATCH BASIN |
| SANITARY SEWER MAINTENANCE HOLE | SANITARY SEWER MAINTENANCE HOLE |
| CURB INLET STORM DRAIN CATCH BASIN | CURB INLET STORM DRAIN CATCH BASIN |
| ELEVATION | ELEVATION |
| EXISTING TREES | EXISTING TREES |



| | | |
|---|---|---|
| WONG ENGINEERS, INC. PLANNING, ENGINEERING, SURVEYING 1000 CALIFORNIA STREET, SUITE 200 STOCKTON, CALIFORNIA 95210 TEL: (209) 778-0011 FAX: (209) 778-0011 www.wongengineers.com | | SHEET 3 OF SEVENTEEN FILE #08 |
| JOB NO.: 4036 DATE: APRIL 2023 DRAWN: JCM/ST/SS DESIGN: WJ CHECKED: ZCW | R.C.E. 48717 DATE: JANUARY 1, 2023 | 11293 S. MANTHEY ROAD LATHROP, CALIFORNIA |
| NO. DESCRIPTION REVISIONS DATE BY | UNAUTHORIZED CHANGES AND USES: THE ENGINEER PREPARING THIS SITE PLAN WILL NOT BE RESPONSIBLE FOR ANY CHANGES TO THE SITE PLAN MADE TO OR FOR USES OF THIS SITE PLAN AFTER THE DATE OF PREPARATION OF THIS PLAN. ALL CHANGES TO THE SITE PLAN MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THIS PLAN. | |
| APPROXIMATE LOCATION OF EX. PP EX. POSE ESMNT LOCATION OF ESMNT | APPROXIMATE LOCATION OF EX. PP EX. POSE ESMNT LOCATION OF ESMNT | APPROXIMATE LOCATION OF EX. PP EX. POSE ESMNT LOCATION OF ESMNT |



CALC TRUCKS
 PARTIAL L-9
 ALTERNATIVE ULTIMATE
 11-10-10. SUBJECT TO
 CHANGE UNTIL FINAL
 CALCULATIONS POINT

INTERSTATE HIGHWAY ROUTE NO. 5
 S00°03'37"E 374.30'
 S68°04'14"W 503.05'
 N45°56'23"W 366.69'
 N89°32'19"W 742.31'
 S376°07'E 419.29'
 S89°59'33"W 422.33'

GARAGE TRUCK DETAIL
 OVERALL LENGTH 46.333 FT
 OVERALL WIDTH 8.375 FT
 OVERALL BODY HEIGHT 10.546 FT
 TRACK WIDTH 8.375 FT
 CURB TO CURB TURNING RADIUS 23.00 FT

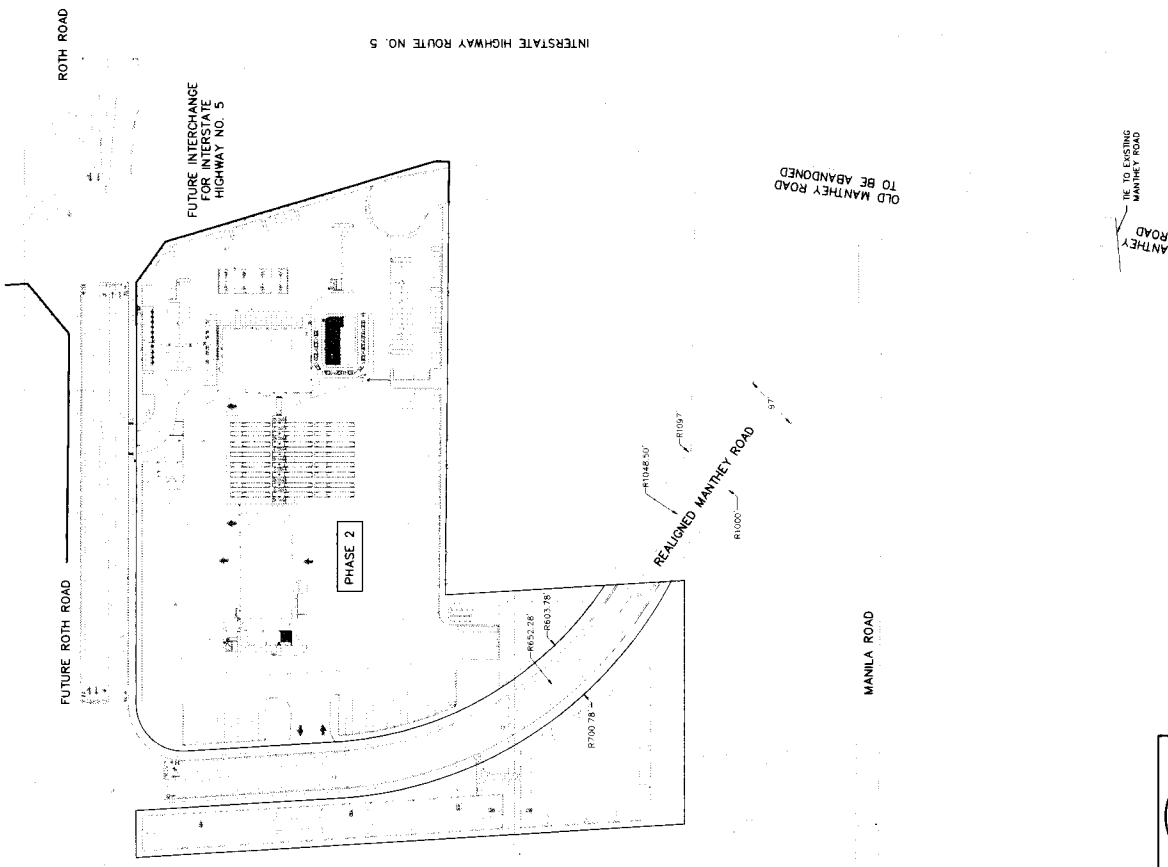
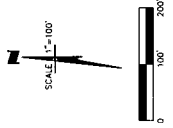
FIRE TRUCK DETAIL
 OVERALL LENGTH 46.333 FT
 OVERALL WIDTH 8.333 FT
 OVERALL BODY HEIGHT 13.953 FT
 TRACK WIDTH 8.333 FT
 LOCK-TO-LOCK TIME 6.00 SEC
 CURB TO CURB TURNING RADIUS 45.00'

STREET SECTIONS SUBJECT TO CHANGE. STILL
 UNDER REVIEW BY TRAFFIC ENGINEER

**DETAIL C-C - 56' HALF STREET SECTION -
 FUTURE ROTH ROAD (PERMANENT)**
 NOT TO SCALE

DETAIL D-D - 97' STREET SECTION - REALIGNED MANTHEY ROAD
 NOT TO SCALE

| | | | |
|--|--|---|---|
| WONG ENGINEERS, INC. PLANNING ENGINEERING SURVEYING 5100 VAN ALLEN BLVD., SUITE 200 SACRAMENTO, CALIFORNIA 95828-2001 TEL: 916/487-7255 FAX: 916/487-7255 WWW.WONGENR.COM <i>Geoffrey C. Wong</i> DATE: 04/26/23 | | JOB NO.: 4038 DATE: APRIL 2023 SCALE: AS SHOWN DESIGNED: JET CHECKED: ZCW | SHEET 4 OF SEVENTEEN FILE 4038 |
| UNAUTHORIZED CHANGES AND USES: THE ENGINEER PREPARING THIS SITE PLAN WILL NOT BE RESPONSIBLE FOR ANY CHANGES OR USES OF THIS SITE PLAN THAT ARE MADE WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER PREPARING THIS SITE PLAN. ANY CHANGES TO THIS SITE PLAN MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THIS PLAN. | | NO. DESCRIPTION DATE BY REVISIONS | 11293 S. MANTHEY ROAD CALIFORNIA |
| | | TRUCK TURNING PHASE II | |

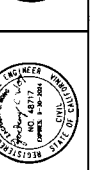
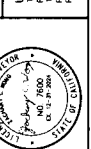


JOB NO. 4036
 DATE: APRIL 2023
 DRAWN BY: JZ
 DESIGNED BY: JZ
 CHECKED BY: JZ

WONG ENGINEERS, INC.
 PLANNING ENGINEERING ARCHITECTURE
 3100 CALIFORNIA STREET, SUITE 200
 STOCKTON, CALIFORNIA 95210
 PHONE: (209) 923-1001
 FAX: (209) 923-1002
 DATE: 4/12/23, U.S.

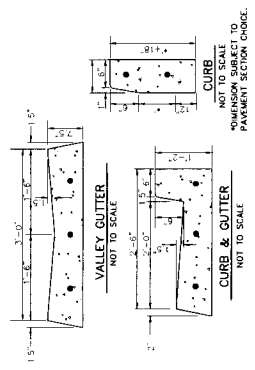
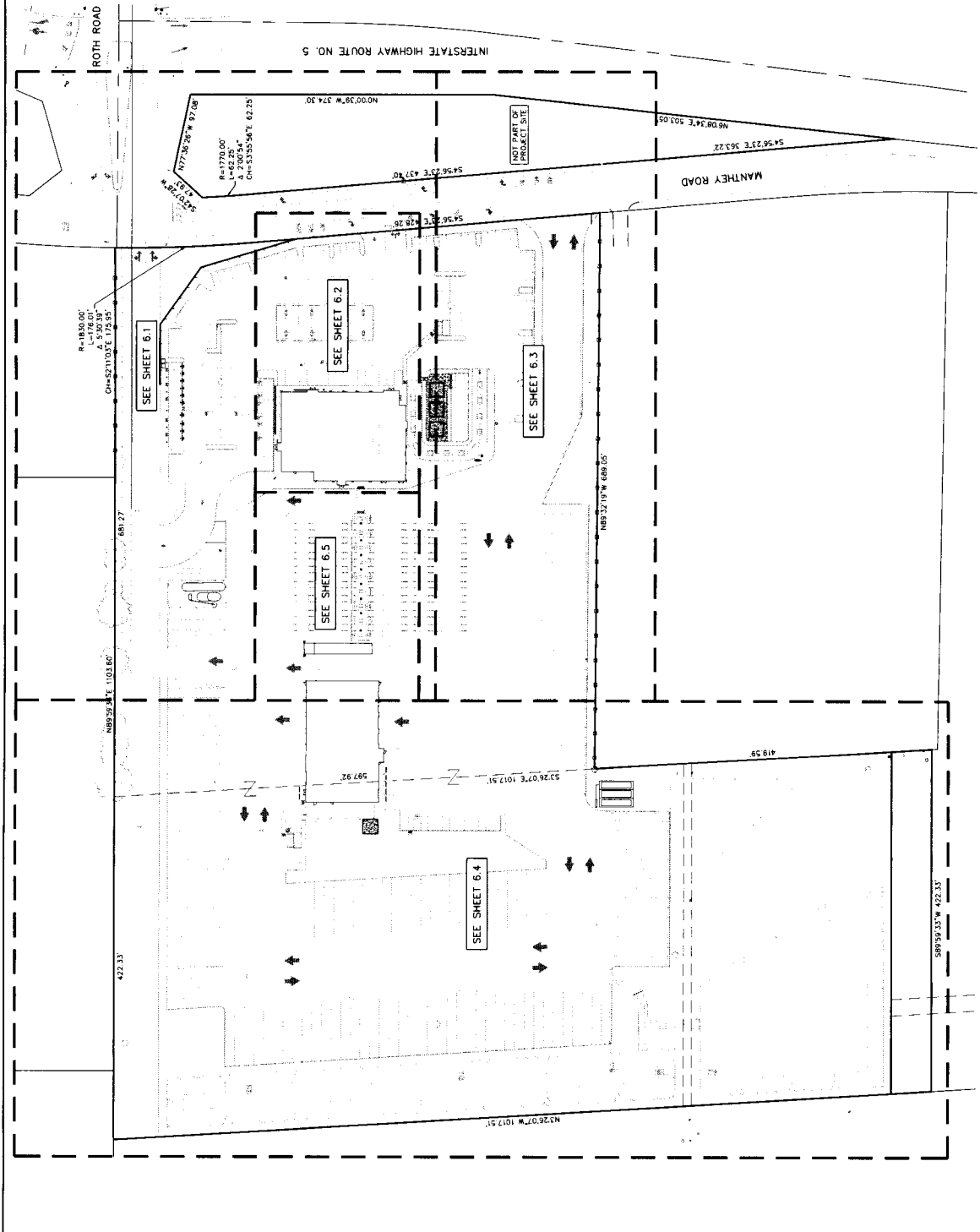
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 THE ENGINEER PREPARING THIS SITE PLAN WILL NOT BE RESPONSIBLE FOR ANY CHANGES TO THE SITE PLAN OR USES OF THIS SITE PLAN. ALL CHANGES TO THE SITE PLAN MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THIS PLAN.



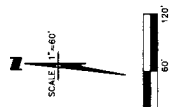
SHEET 5
 OF SEVENTEEN
 FILE 4036

REALIGNED MANTHEY ROAD
 11283 S. MANTHEY ROAD



CURB NOTES:
 1. CURB SHALL BE 6" HIGH
 2. CURB SHALL BE 1/4" MAXIMUM AT RETURNS
 3. CURB SHALL BE 1/4" MAXIMUM AT RETURNS
 4. WEAR TO BE CONTIGUOUS AS REBAR UNLESS OTHERWISE NOTED
 5. DEPTH OF CURB TO BE DETERMINED BY PAVEMENT OR CONCRETE
 6. DIMENSIONS SUBJECT TO PAVEMENT SECTION CHOICE

FINISHED FLOOR ELEVATION NOTES:
 1. FINISHED FLOOR ELEVATION SHALL BE BASED ON A CONTROL POINT (CIP) WITH FINISHED FLOOR ELEVATION AS SHOWN ON THE CITY OF LATHROP ENGINEER FROM SAN JOAQUIN AREA FLOOD CONTROL AGENCY (SJMCA) FINISH FLOOR ELEVATION WAS BASED ON A CONTROL POINT (CIP) WITH FINISHED FLOOR ELEVATION AS SHOWN ON THE DEPARTMENT OF WATER RESOURCES POTENTIAL 200-YEAR 2040 CLIMATE CHANGE (COMPOSITE).



JOB NO. 4036
 DATE: APRIL 2023
 SCALE: AS SHOWN
 DRAWN: ZWC/CV/SS
 DESIGN: WEI
 CHECKED: ZCW

11293 S. MANTHEY ROAD
 LATHROP, CALIFORNIA
 SHEET 6
 OF SEQUENTIAL
 PRELIMINARY GRADING PLAN
 OVERVIEW PHASE 1
 FILE #036

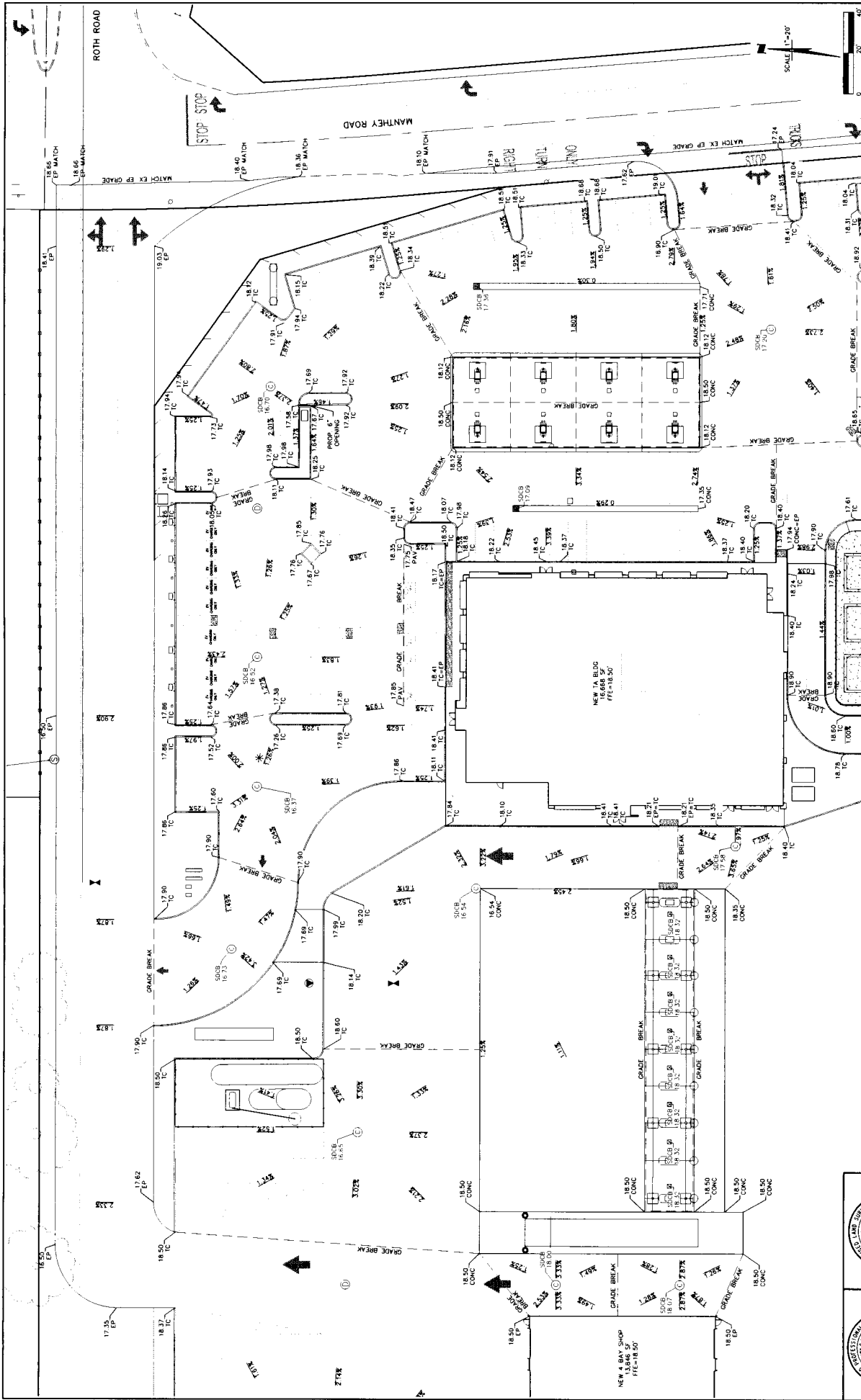
WONG ENGINEERS, INC.
 4378 TEAR RIVER DRIVE, SUITE A
 LATHROP, CALIFORNIA 97030
 (503) 476-0011
 R.C.E. 48717
 DATE: 4/11/23 L.S. 7500

| NO. | DESCRIPTION | DATE | BY |
|-----|-------------|------|----|
| | | | |

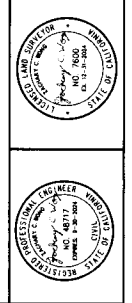
UNAUTHORIZED CHANGES AND USES:
 THE ENGINEER PREPARING THIS SITE PLAN MAY NOT BE RESPONSIBLE FOR UNAUTHORIZED CHANGES TO THIS PLAN. ANY CHANGES TO THIS PLAN MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THIS PLAN.

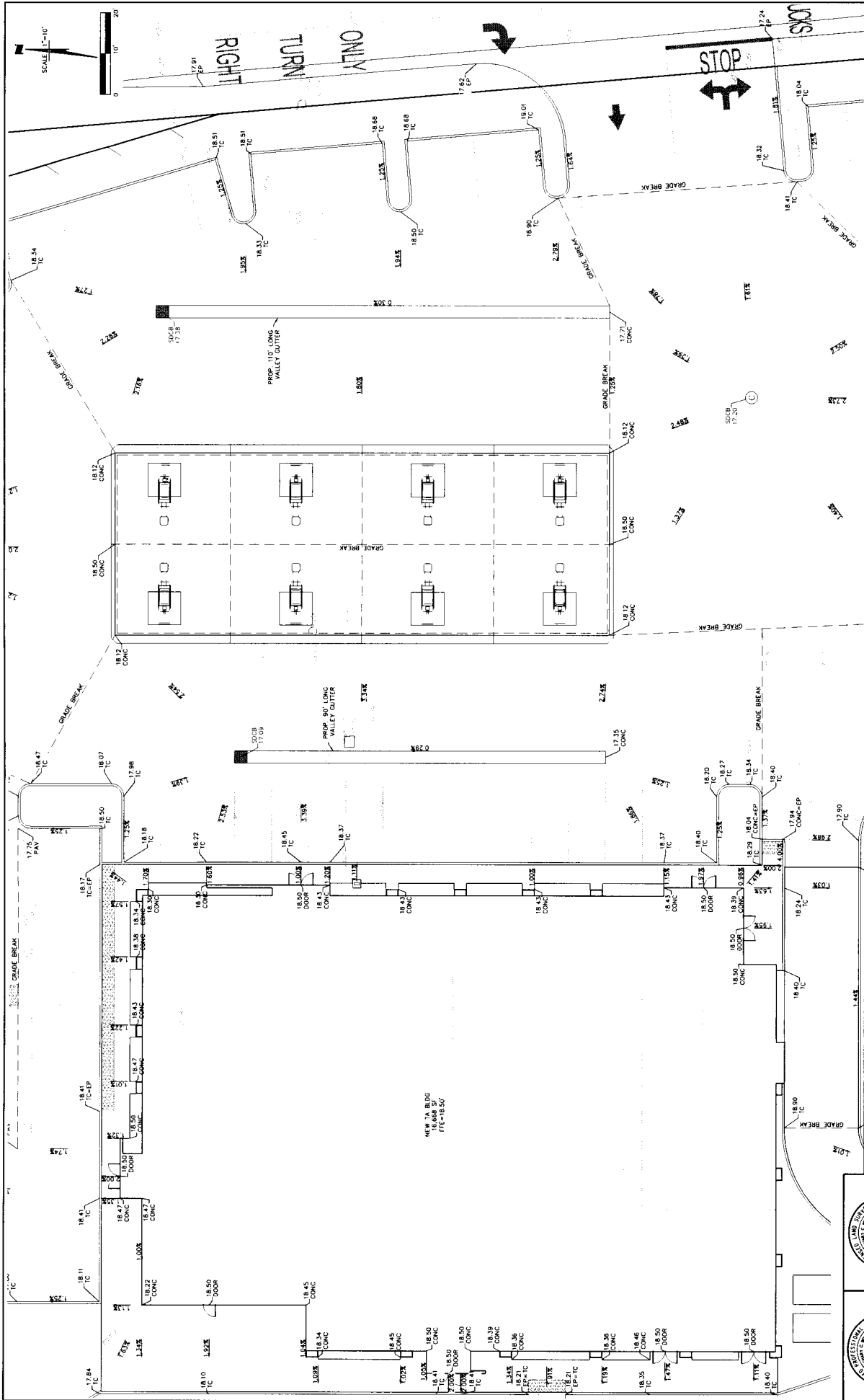
REGISTERED PROFESSIONAL ENGINEER
 WONG ENGINEERS, INC.
 NO. 48717
 LICENSE NO. 13-004
 STATE OF CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
 WONG ENGINEERS, INC.
 NO. 7500
 LICENSE NO. 13-004
 STATE OF CALIFORNIA

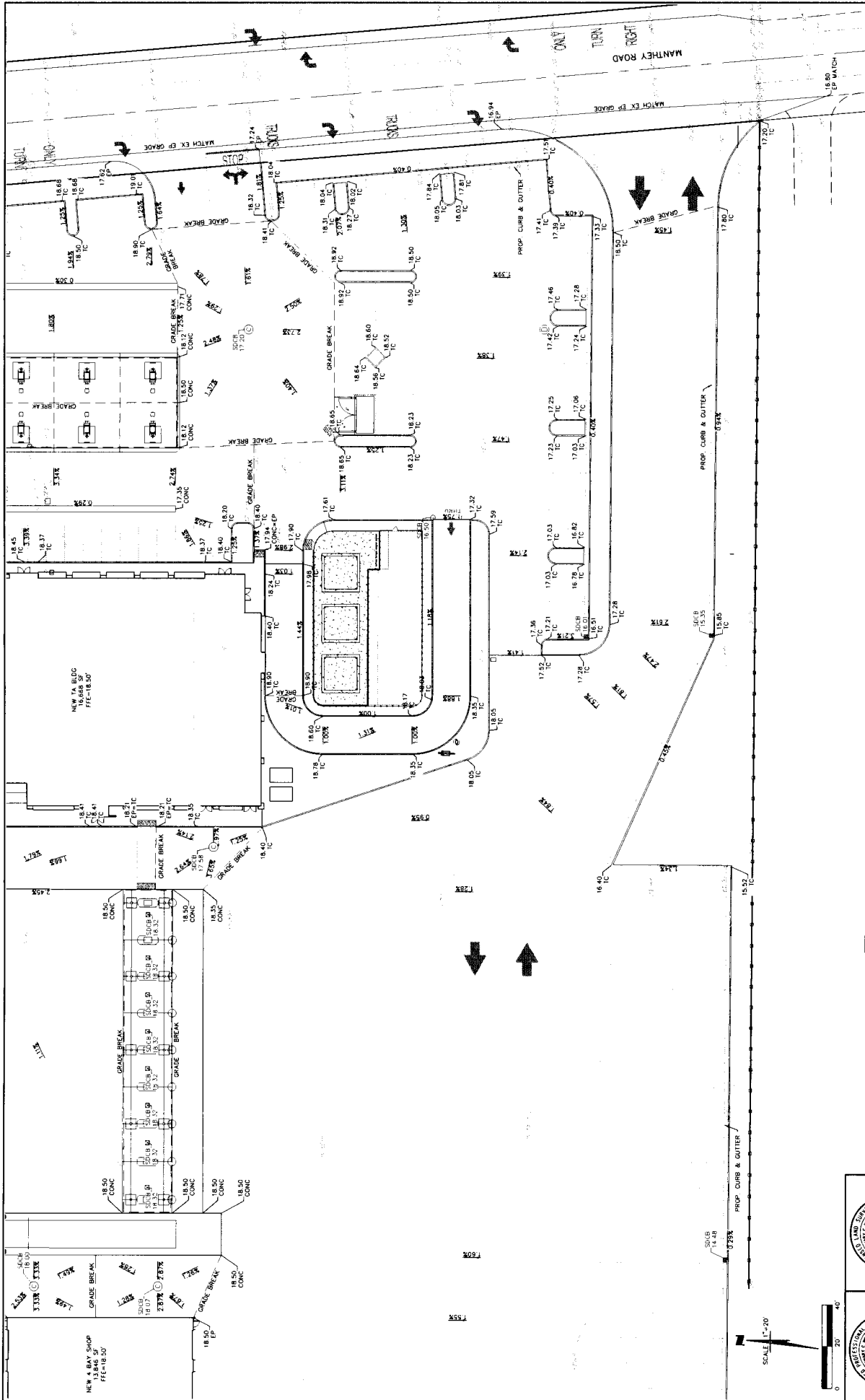


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| <p>UNAUTHORIZED CHANGES AND USES: THIS PLAN IS THE PROPERTY OF WONG ENGINEERS, INC. ANY REVISIONS, ALTERATIONS, OR CHANGES TO THE SITE OR USES OF THIS SITE PLAN, ALL CHANGES TO THE SITE OR USES OF THIS SITE PLAN, AND MUST BE APPROVED BY THE PREPARER OF THIS PLAN.</p> | | <p>NO. DESCRIPTION</p> <p>DATE BY</p> |
| <p>WONG ENGINEERS, INC. PLANNING, ENGINEERING, SURVEYING 11223 S. MANTHEY ROAD STOCKTON, CALIFORNIA (209) 476-0011 <i>Gregory C. Wong</i> DATE: 4/10/23 U.S.</p> | | <p>REVISIONS</p> |
| <p>PROJECT: PRELIMINARY GRADING PLAN PHASE I</p> | | <p>CHECKED: ZON</p> |
| <p>JOB NO.: 4536 2023 SCALE: AS SHOWN DRAWN: ZCW/CLZ/S DESIGNED: WJ SHEET 6.1 OF SEVENTEEN FILE 4036</p> | | <p>DATE: 4/10/23 BY: WJ</p> |

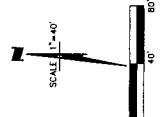
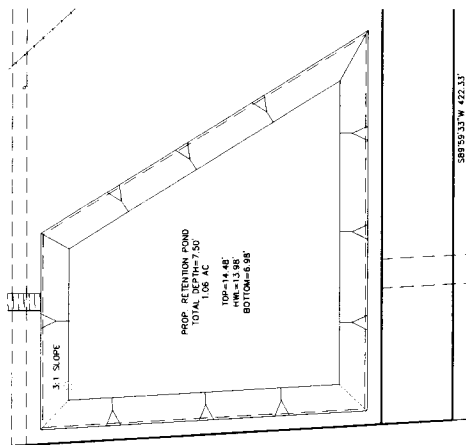
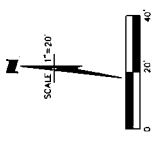
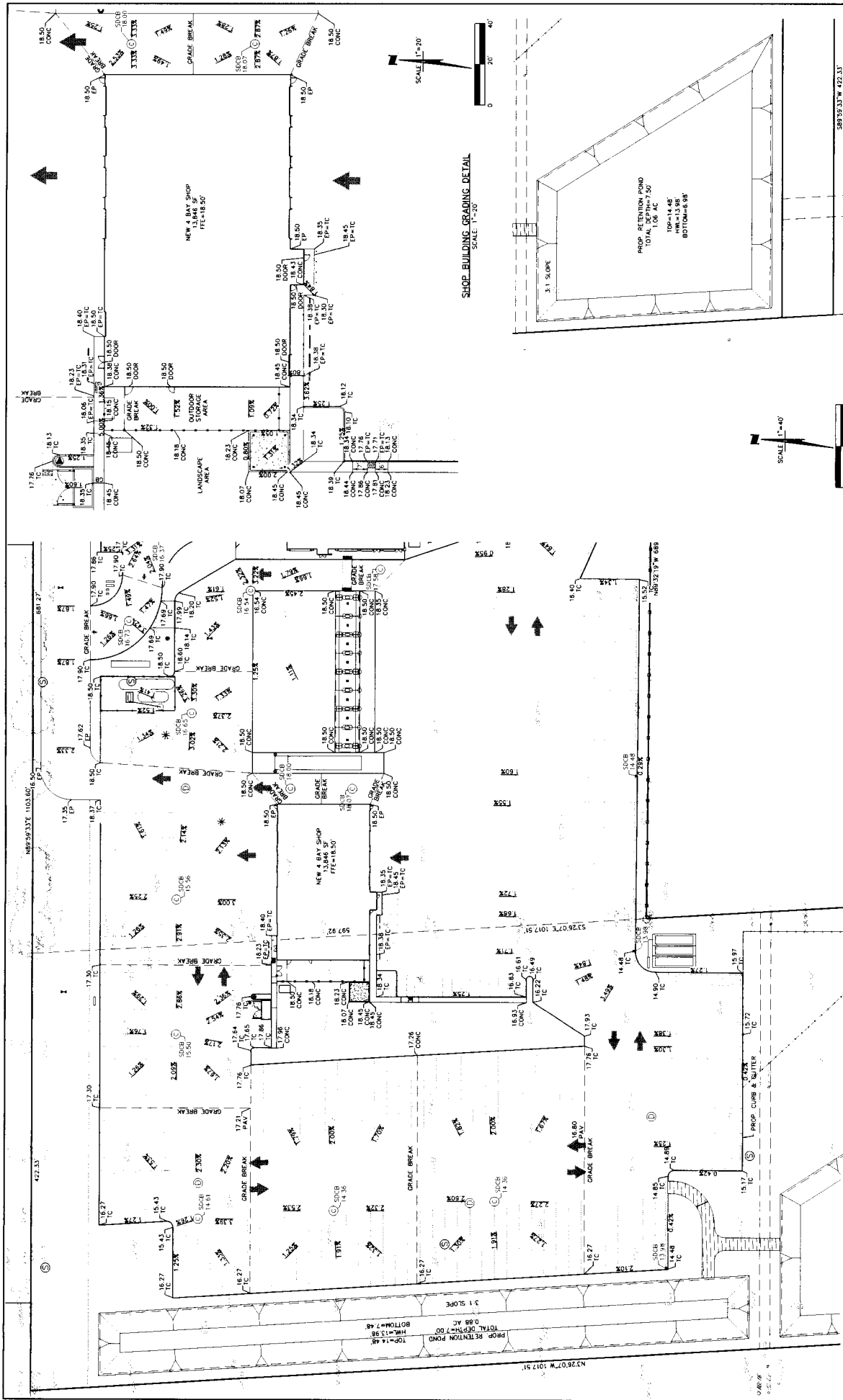




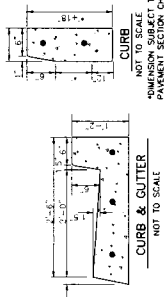
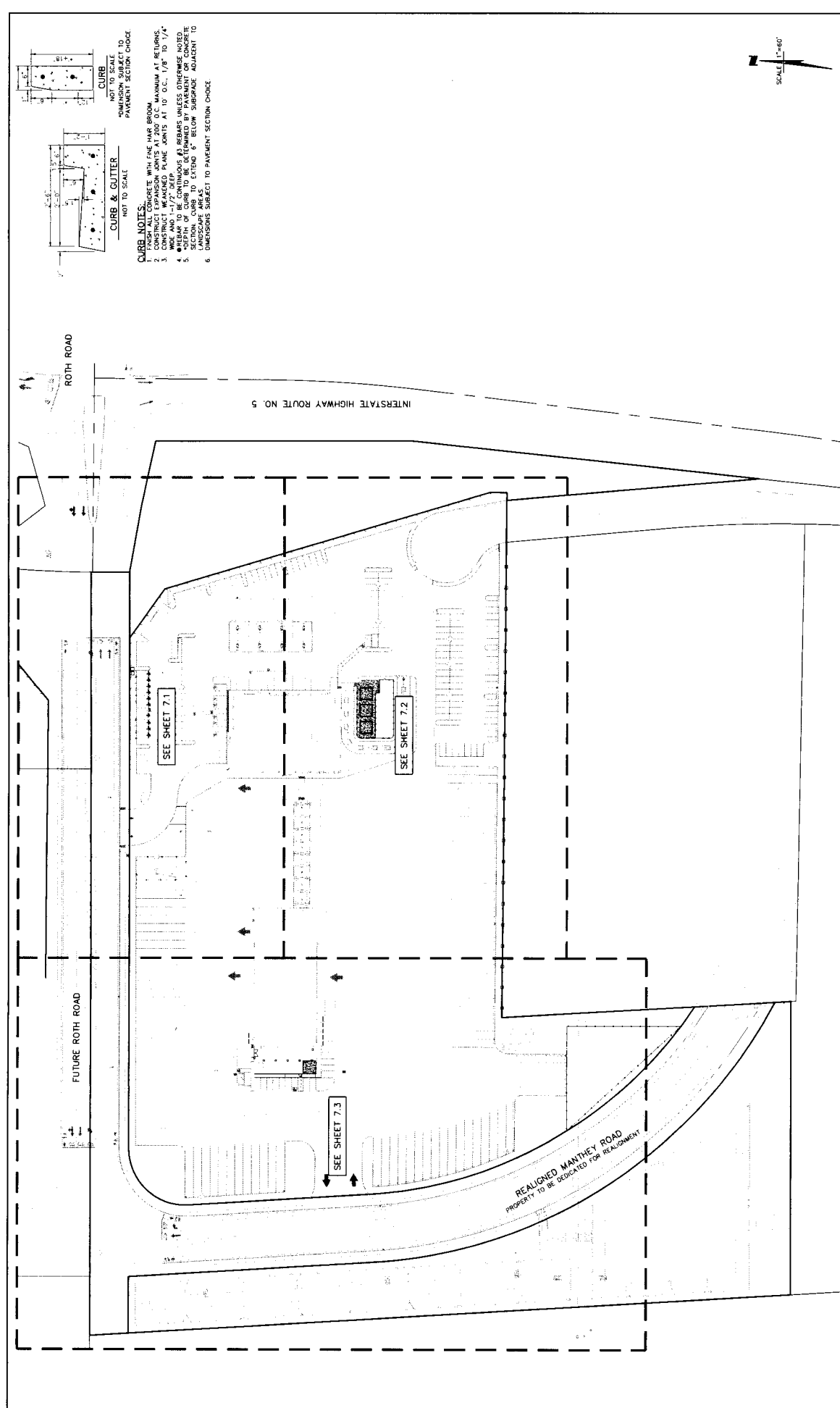
| | | | |
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| <p>UNAUTHORIZED CHANGES AND USES: THE PREPARED ENGINEER IS NOT RESPONSIBLE FOR ANY CHANGES TO OR USES OF THIS SITE PLAN, ALL CHANGES TO THE SITE PLAN MUST BE APPROVED BY THE PREPARED ENGINEER OF THIS PLAN.</p> | <p>NO. DESCRIPTION</p> | <p>REVISIONS</p> | <p>DATE BY</p> |
| | <p>DATE BY</p> | | |
| <p>REGISTERED PROFESSIONAL ENGINEER STATE OF CALIFORNIA NO. 7000 EXPIRES 03-31-2007</p> | | | |
| <p>REGISTERED LAND SURVEYOR STATE OF CALIFORNIA NO. 1000 EXPIRES 03-31-2007</p> | | | |
| <p>WONG ENGINEERS, INC. PLANNING, ENGINEERING, SURVEYING 11293 S. MANTHEY ROAD STATION, CALIFORNIA (924) 478-0011 R.C.E. 48317 DESIGN: W.E. CHECKED: Z.C.W.</p> | | | |
| <p>JOB NO. 4036 DATE: 04/20/05 SCALE: AS SHOWN DRAWN: ZC/W/CS/SS DESIGN: W.E. CHECKED: ZC.W.</p> | | | |
| <p>11293 S. MANTHEY ROAD PRELIMINARY GRADING PLAN PHASE I</p> | | | |
| <p>SHEET 6.2 OF SEVENTEEN FILE 4036</p> | | | |



| | | | |
|---|--|---|------------------------------|
| <p>UNAUTHORIZED CHANGES AND USES: THIS PLAN IS THE PROPERTY OF WONG ENGINEERS, INC. ANY CHANGES TO OR USES OF THIS SITE PLAN ALL CHANGES TO THE SITE PLAN MUST BE APPROVED BY THE PREPARED BY THIS PLAN.</p> | | <p>NO. DESCRIPTION</p> <p>REVISIONS</p> <p>DATE BY</p> | <p>DATE BY</p> |
| <p>WONG ENGINEERS, INC. PLANNING, ENGINEERING, SURVEYING 11283 S. MANTNEY ROAD STOCKTON, CALIFORNIA (209) 498-0011 R.C.E. 48317 <i>George C. Wong</i> DATE 4/10/23 U.S. 7600 CHECKED: ZOW</p> | | <p>JOB NO.: 2023 SCALE: AS SHOWN DRAWN: ZOW/CA/SS DESIGN: WJ CHECKED: ZOW</p> | <p>11283 S. MANTNEY ROAD</p> |
| <p>REGISTERED PROFESSIONAL ENGINEER No. 48317 CIVIL STATE OF CALIFORNIA</p> | | <p>REGISTERED PROFESSIONAL SURVEYOR No. 7600 SURVEYING STATE OF CALIFORNIA</p> | |
| <p>PRELIMINARY GRADING PLAN PHASE I</p> | | <p>SHEET 6.3 OF SEVENTEEN FILE NO. 408</p> | |



| | | | |
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| <p>UNAUTHORIZED CHANGES AND USES: ENGINEER PREPARING THIS SITE PLAN WILL NOT BE RESPONSIBLE FOR ANY CHANGES TO THE SITE PLAN OR FOR USES OF THIS SITE PLAN. ALL CHANGES TO THE SITE PLAN MUST BE APPROVED BY THE ENGINEER PREPARER OF THIS PLAN.</p> | | <p>NO. DESCRIPTION</p> <p>DATE BY</p> | <p>REVISIONS</p> |
| <p>PROF. SEAL</p> <p>REGISTERED PROFESSIONAL ENGINEER CIVIL STATE OF CALIFORNIA NO. 42717 EXPIRES 01/01/2025</p> | | <p>DATE: APRIL 2023</p> <p>DESIGN: ZCW/STJ/SS</p> <p>CHECKED: ZCW</p> | <p>WONG ENGINEERS, INC. PLANNING, ENGINEERING, SURVEYING 11293 S. MAYNETH ROAD STOCKTON, CALIFORNIA (209) 978-0011</p> |
| <p>DATE: 04/27/23</p> <p>DESIGN: ZCW/STJ/SS</p> <p>CHECKED: ZCW</p> | | <p>JOB NO.: 4036</p> <p>DATE: APRIL 2023</p> <p>DESIGN: ZCW/STJ/SS</p> <p>CHECKED: ZCW</p> | <p>11293 S. MAYNETH ROAD</p> <p>LAHROP, CALIFORNIA</p> |
| <p>PRELIMINARY GRADING</p> <p>PLAN PHASE I</p> | | <p>6.4</p> <p>OF SEVENTEEN</p> <p>SHEET</p> | <p>58939.33' W 422.33'</p> <p>SCALE: 1"=40'</p> |

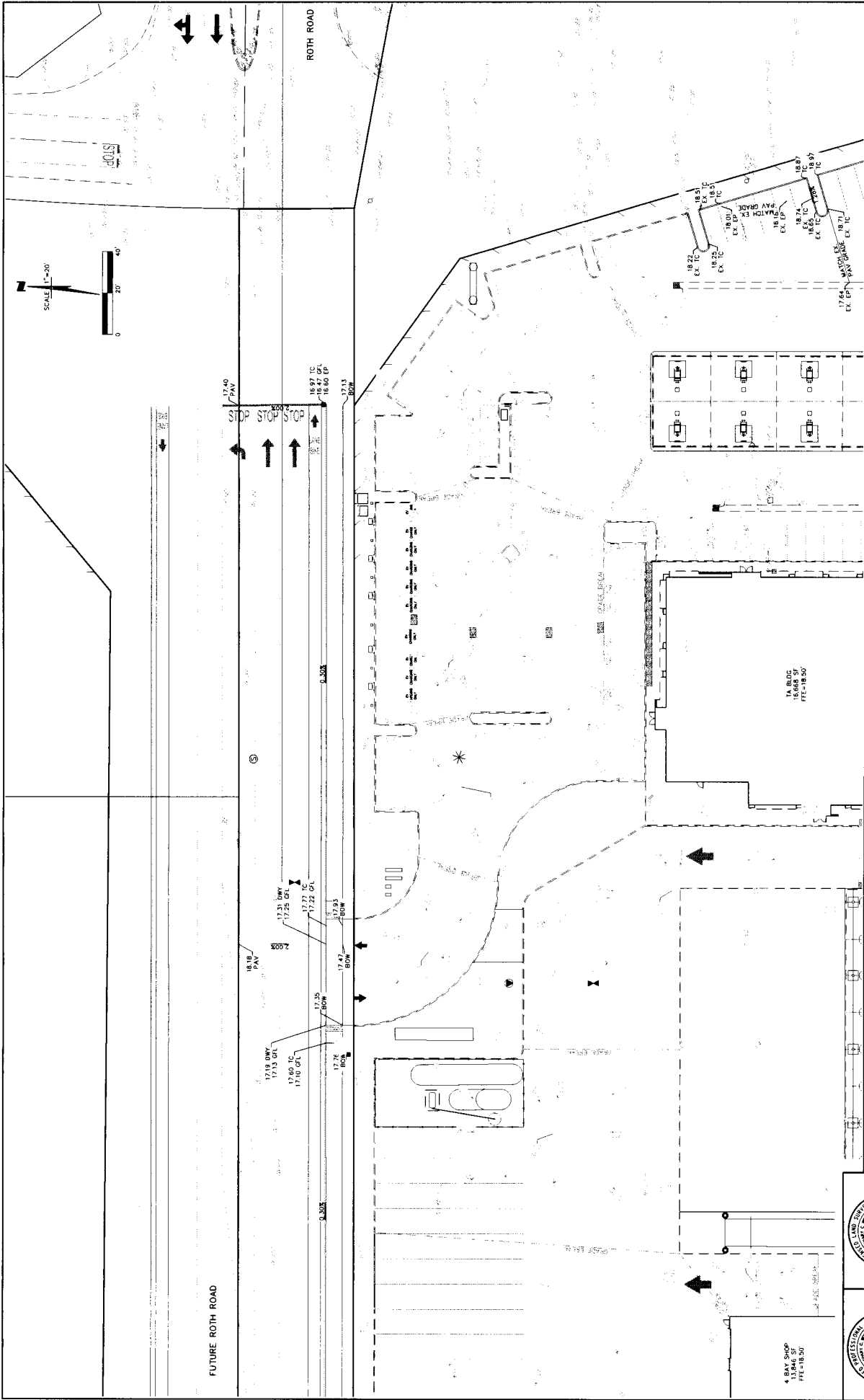


CURB NOTES:

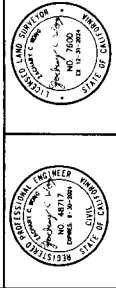
1. CONCRETE WITH ONE HANDED BROOM
2. CONSTRUCT WALKED JOINTS AT 200' O.C. MAXIMUM AT RETURNS.
3. CONSTRUCT WALKED PLANE JOINTS AT 10' O.C. 1/8" TO 1/4"
4. REBAR TO BE CONTINUOUS AS REBARS UNLESS OTHERWISE NOTED.
5. SECTION JOINTS TO BE PLACED AT 10' ON CENTER BY CONCRETE.
6. LANDSCAPE AREAS TO EXTEND 5' BELOW PARAPET. ADJACENT TO DIMENSIONS SUBJECT TO PAVEMENT SECTION CHOICE.

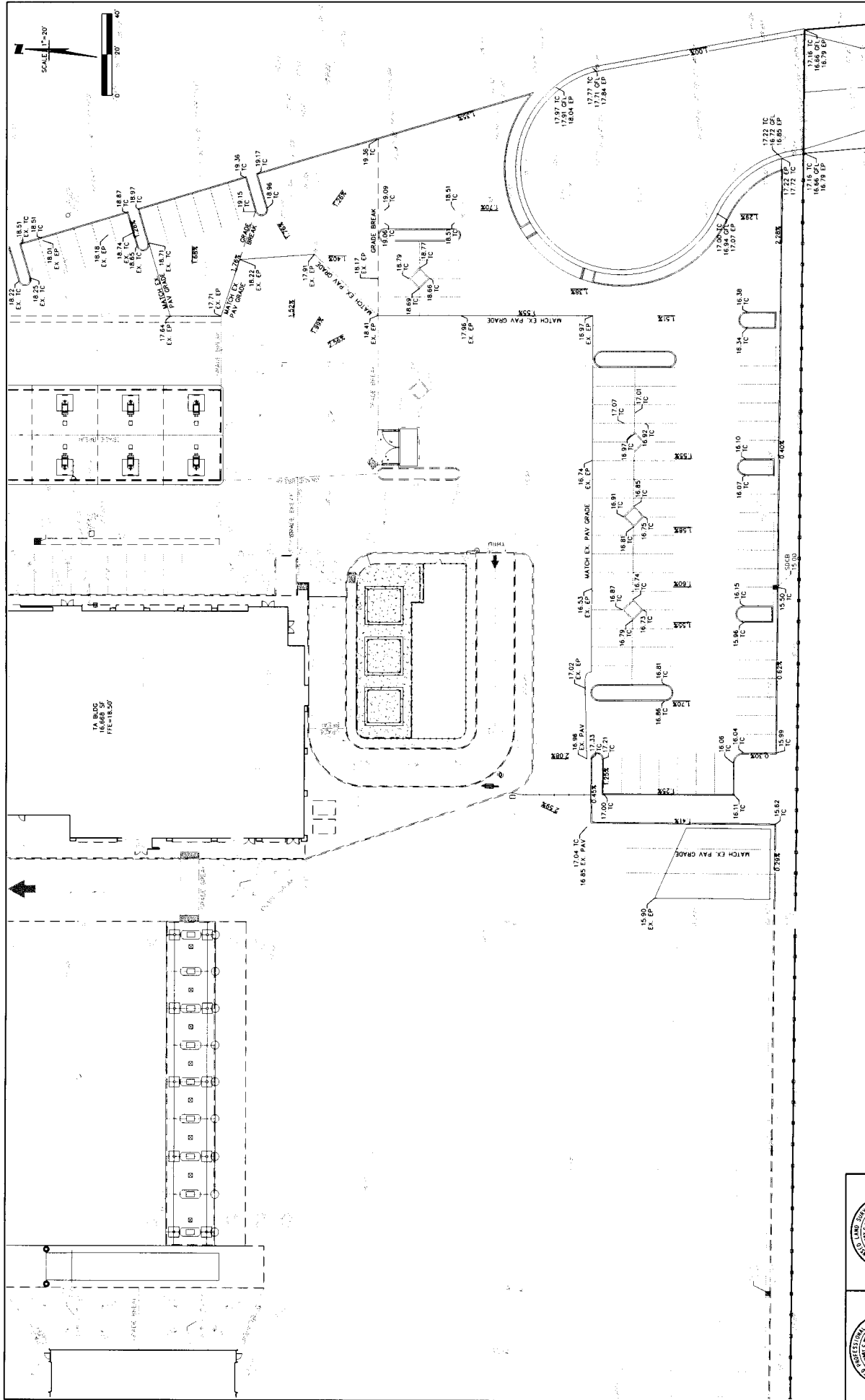


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| | | UNAUTHORIZED CHANGES AND USES: THE PREPARED BY OR FOR THE ENGINEER OR SURVEYOR IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION AND DATA PROVIDED TO OR USED IN THIS SITE PLAN. ALL CHANGES TO THE SITE PLAN OR THE INFORMATION AND DATA MUST BE APPROVED BY THE PREPARED BY OR FOR THE ENGINEER OR SURVEYOR. | | REVISIONS NO. DESCRIPTION DATE BY |
| | | WONG ENGINEERS, INC. PLANNING, ENGINEERING, SURVEYING 11283 S. MANTHEY ROAD STOCKTON, CALIFORNIA (209) 418-0811 P.C.E. 48717 DATE 4/10/21 C.S. 7669 | | JOB NO. 1933 DATE 03/23/21 SCALE: AS SHOWN DRAWN: JCM/CK/SS DESIGNED: WJ CHECKED: ZW |
| 11283 S. MANTHEY ROAD LATHROP, CALIFORNIA | | SHEET 7 OF SEVENTEEN FILE 408 | | PRELIMINARY GRADING OVERVIEW PLAN PHASE II |





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| <p>UNAUTHORIZED CHANGES AND USES: IT IS THE RESPONSIBILITY OF THE USER OF THIS PLAN TO BE RESPONSIBLE FOR ANY UNAUTHORIZED CHANGES TO OR USES OF THIS SITE PLAN. ALL CHANGES TO THE SITE PLAN MUST BE APPROVED BY THE PREPARER OF THIS PLAN.</p> | | <p>NO. DESCRIPTION</p> <p>DATE BY</p> | <p>PROVISIONS</p> |
| <p>WONG ENGINEERS, INC. PLANNING, ENGINEERING, ARCHITECTURE STOCKTON, CALIFORNIA (209) 978-0011 <i>Gregory C. Wong</i> DATE: 4/18/23 U.S. 7600</p> | | <p>PROVISIONS</p> | <p>PROVISIONS</p> |
| <p>11223 S. MANHELY ROAD</p> | | <p>DATE BY</p> | <p>PROVISIONS</p> |
| <p>PRELIMINARY GRADING PLAN PHASE II</p> | | <p>DATE BY</p> | <p>PROVISIONS</p> |
| <p>7.1 OF SEVENTEEN FILE 4058</p> | | <p>DATE BY</p> | <p>PROVISIONS</p> |
| <p>LABORER CALIFORNIA</p> | | <p>DATE BY</p> | <p>PROVISIONS</p> |
| <p>7.1 OF SEVENTEEN FILE 4058</p> | | <p>DATE BY</p> | <p>PROVISIONS</p> |





UNAUTHORIZED CHANGES AND USES:
 THE ENGINEER PREPARED THIS SITE PLAN. THIS PLAN, INCLUDING ALL CHANGES, IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE CONTRACT DOCUMENTS. ANY CHANGES TO THIS SITE PLAN, ALL CHANGES TO THE SITE PLAN, OR ANY OTHER CHANGES TO THIS SITE PLAN, MUST BE APPROVED BY THE PREPARED BY THIS PLAN.

| NO. | DESCRIPTION | REVISIONS | DATE | BY |
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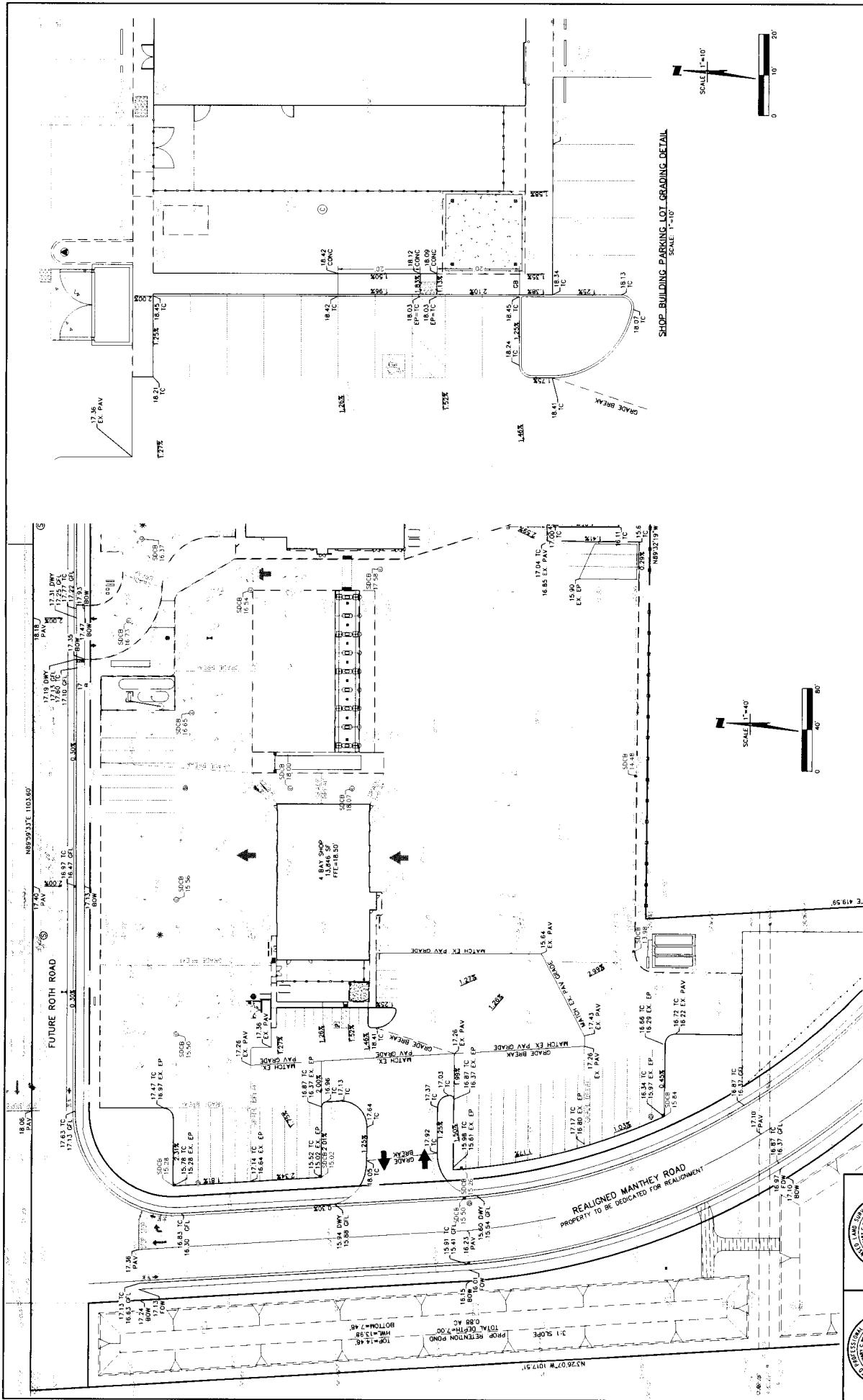



WONG ENGINEERS, INC.
 PLANNING ENGINEERING ARCHITECTURE
 11203 S. MANFREY ROAD
 STOCKTON, CALIFORNIA 95210-2055
 PHONE: (209) 478-0011
 FAX: (209) 478-0011
 DATE: 4/12/23
 CHECKED: JZW

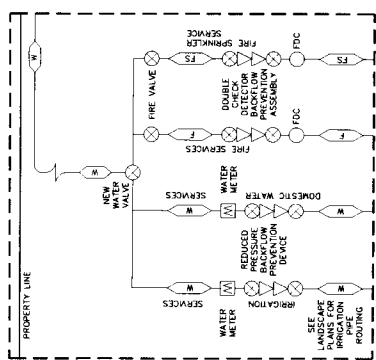
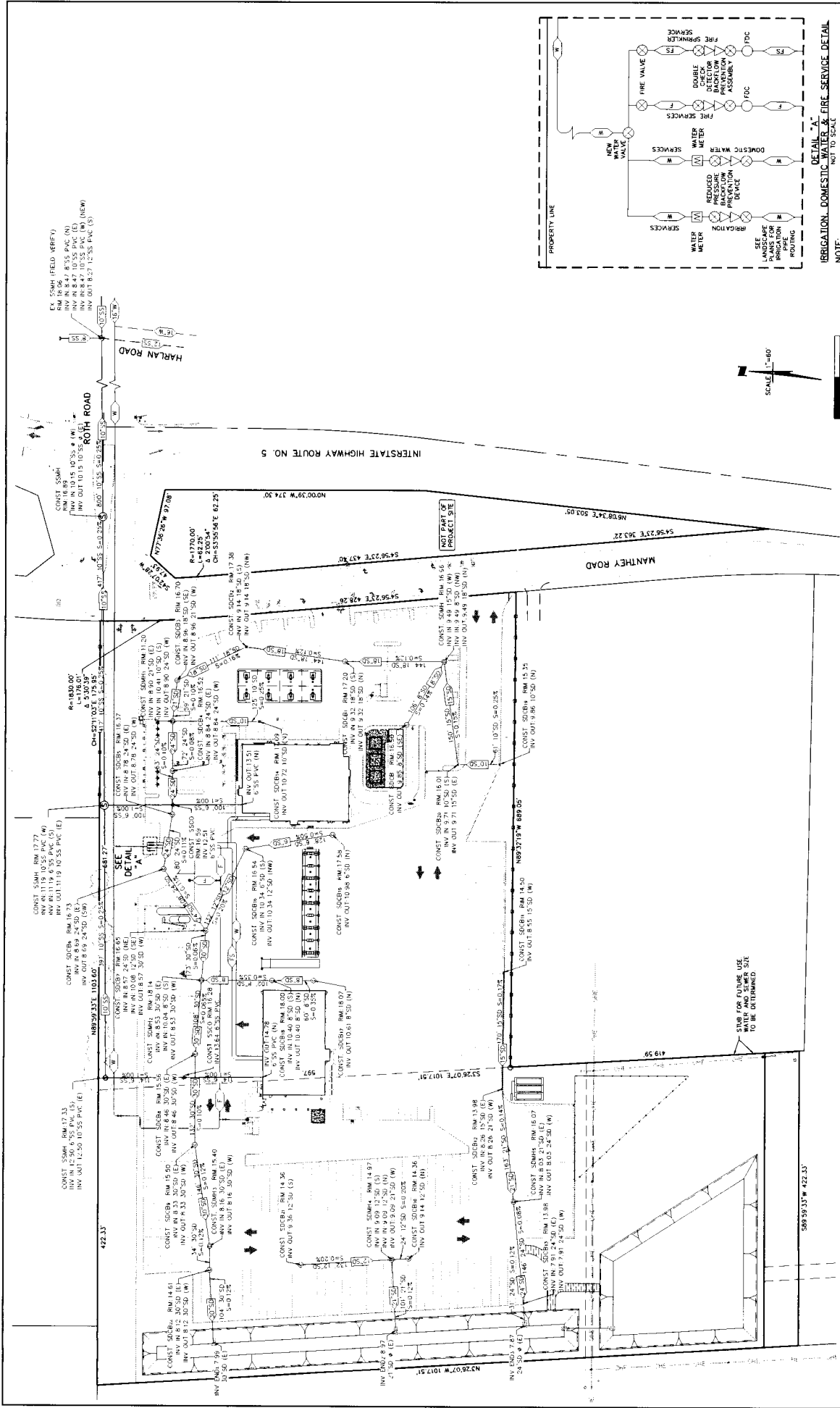
JOB NO. 4036
 DATE: APRIL 2023
 DRAWN: JZW/2023/05
 DESIGNED: JZW/2023/05
 CHECKED: JZW

SHEET 7.2
 OF SEVENTEEN
 FILE 4036

PRELIMINARY GRADING
 PLAN PHASE II



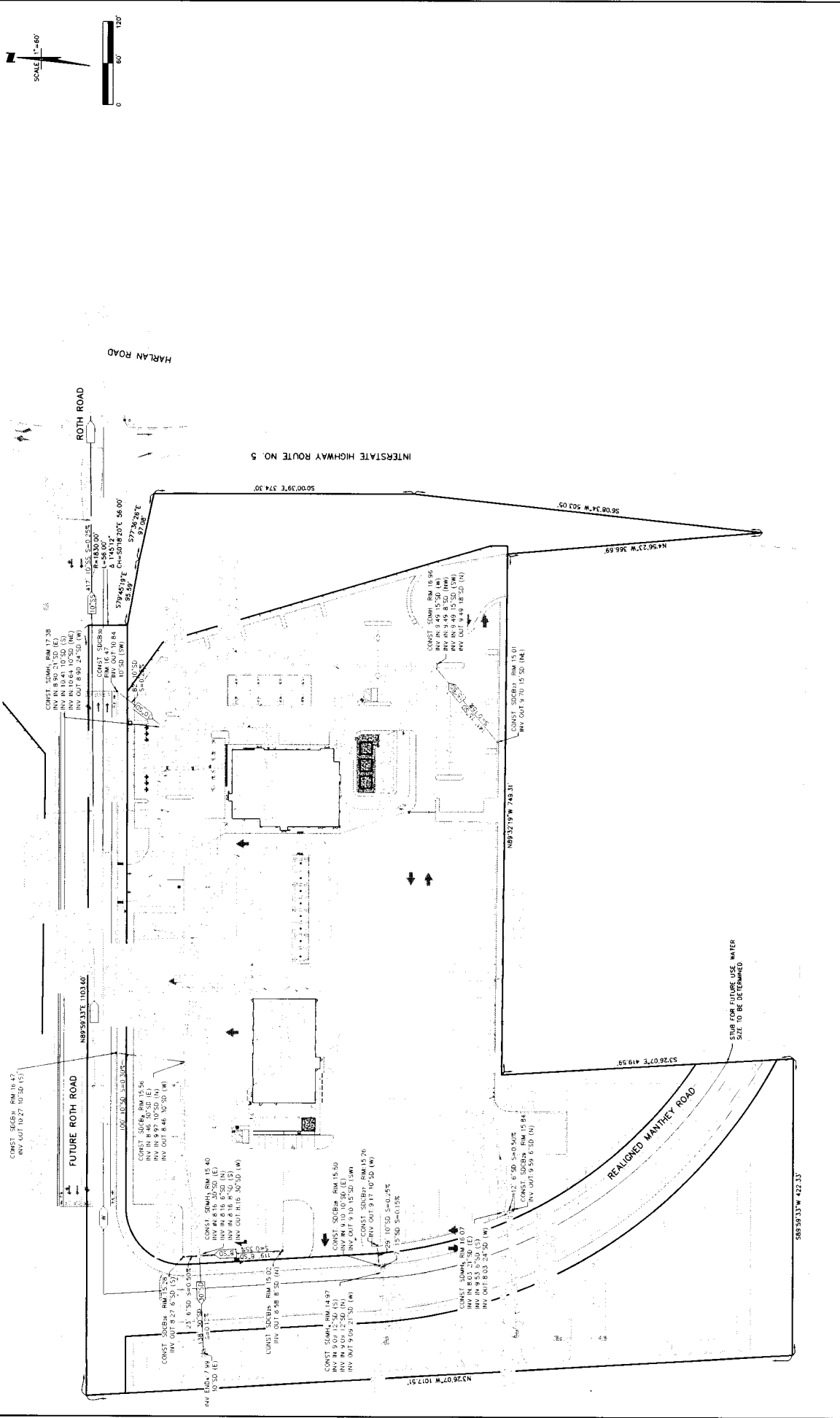
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| <p>UNAUTHORIZED CHANGES AND USES: THE ENGINEER PREPARING THIS SITE PLAN, WILL NOT BE RESPONSIBLE FOR ANY CHANGES TO THE SITE PLAN OR FOR THE USE OF THIS SITE PLAN. ALL CHANGES TO THE SITE PLAN MUST BE APPROVED BY THE ENGINEER PREPARING THIS PLAN.</p> | | <p>NO. DESCRIPTION DATE BY</p> | |
| <p>REVISIONS</p> | | <p>DATE BY</p> | |
| <p>WONG ENGINEERS, INC. PLANNING ENGINEERING SURVEYING 11293 S. MANTHEY ROAD STOCKTON, CALIFORNIA (209) 776-0011 <i>Gregory C. Wong</i> DATE: 4/15/23 CS 10396</p> | | <p>R.C.E. 45372 DESIGN: ME CHECKED: ZCW</p> | |
| <p>REGISTERED PROFESSIONAL ENGINEER STATE OF CALIFORNIA NO. 45372 EXPIRES 12/31/24</p> | | <p>REGISTERED PROFESSIONAL ENGINEER STATE OF CALIFORNIA NO. 1000 EXPIRES 12/31/24</p> | |
| <p>JOB NO.: 4036 DATE: APRIL 2023 DRAWN: ZCW/CS/SS DESIGN: ME CHECKED: ZCW</p> | | <p>11293 S. MANTHEY ROAD LATHROP CALIFORNIA SHEET 7.3 OF SEVENTEEN FILE 4036</p> | |
| <p>PRELIMINARY GRADING PLAN PHASE II</p> | | | |



DETAIL 'A'
IRRIGATION, DOMESTIC WATER & FIRE SERVICE DETAIL
 NOT TO SCALE

NOTE: FIRE SPRINKLER SERVICE AND FIRE SERVICE TO BE DETERMINED BY SIZE OF PLANT, IRRIGATION AND DOMESTIC SERVICES TO BE DETERMINED BY OTHERS.

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| <p>UNAUTHORIZED CHANGES AND USES THE ENGINEER PREPARED THIS SET OF PLANS AND IS NOT RESPONSIBLE FOR OR LIABLE FOR UNAUTHORIZED CHANGES TO THESE PLANS. ANY UNAUTHORIZED CHANGES TO THESE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARED OF THIS PLAN.</p> | <p>NO DESCRIPTION</p> <p>REASONS</p> <p>DATE</p> <p>BY</p> | <p>DATE: APRIL 2023</p> <p>SCALE: AS SHOWN</p> <p>DRAWN: ZCW/CJ/SS</p> <p>DESIGN: MEI</p> <p>CHECKED: ZCW</p> | <p>11283 S MANTHEY ROAD</p> <p>19-0309</p> <p>CALIFORNIA</p> <p>SHEET 8</p> <p>OF SIXTEEN</p> <p>FILE 4036</p> |
| <p>WONG ENGINEERS, INC. 4578 TEALBERRY BLVD., SUITE A STOCKTON, CALIFORNIA (209) 496-0011 <i>Stockton, CA</i></p> | <p>PROJECT NO: 4036</p> <p>DATE: APRIL 2023</p> <p>SCALE: AS SHOWN</p> <p>DRAWN: ZCW/CJ/SS</p> <p>DESIGN: MEI</p> <p>CHECKED: ZCW</p> | <p>PROJECT NO: 4036</p> <p>DATE: APRIL 2023</p> <p>SCALE: AS SHOWN</p> <p>DRAWN: ZCW/CJ/SS</p> <p>DESIGN: MEI</p> <p>CHECKED: ZCW</p> | <p>11283 S MANTHEY ROAD</p> <p>19-0309</p> <p>CALIFORNIA</p> <p>SHEET 8</p> <p>OF SIXTEEN</p> <p>FILE 4036</p> |



| | | | | |
|---|------|--|---|--------------------------------------|
| | | WONG ENGINEERS, INC. PLANNING, ENGINEERING, SURVEYING 17293 S. MANTHEY ROAD STOCKTON, CALIFORNIA 95210-4163 | JOB NO. 4036 DATE: APRIL 2023 SCALE: AS SHOWN DESIGN: MK CHECKED: ZCW | SHEET 9 OF SEVENTEEN FILE 4036 |
| UNAUTHORIZED CHANGES AND USES: THE ENGINEER PREPARING THIS SITE PLAN WILL NOT BE RESPONSIBLE FOR ANY CHANGES TO OR USES OF THIS SITE PLAN. ALL CHANGES TO THE SITE PLAN MUST BE APPROVED BY THE PREPARER OF THIS PLAN. | | R.C.E. 49317 DATE: 04/20/23 L.S. 2800 | PRELIMINARY UTILITY PLAN PHASE II 17293 S. MANTHEY ROAD | |
| NO. | DATE | BY | REVISIONS | |
| | | | NO. DESCRIPTION | |

M. HINGOROTH ARCHITECT
ARCHITECTS INC. 1000
1100 W. 15th Street
Suite 200
Culver City, CA 90230
Tel: 310.306.1100
Fax: 310.306.1101
m.hingoroth@architects.com

MAA
ARCHITECTS
DESIGN SERVICES
1188 FRANCHISE DRIVE
DOWNEY, CA 90241
Tel: 562.598.1100
Fax: 562.598.1101
maadesign.com

PROJECT FOR:
11293 SOUTH WANTHEY ROAD
LATHROP, CA 90241
CONTACT: GARY HANLEY
GARY@GARYHANLEY.COM
DATE: 03/29/23



| | |
|-------|----------|
| DATE | 03/29/23 |
| SCALE | |
| DRWN | |
| CHK | |
| APP | |

11293 SOUTH WANTHEY ROAD
LATHROP, CA.

SITE PLAN

SP-1.0

- SITE PLAN KEYNOTES**
1. STANDARDS BY REFERENCE SHALL BE STALLS.
 2. CONCRETE SHALL BE 3000 PSI.
 3. ELECTRICAL CHASING SHALL BE 2" x 2" STALLS.
 4. ACCESSIBLE PARKING SHALL BE 8' x 12' STALLS.
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 100. ACCESSIBLE PARKING SHALL BE 8' x 12' STALLS.

BUILDING SQ. FT. CALCULATION

| | |
|-------------------|------------------|
| MAIN BUILDING | 14,888 SF |
| MECH. ROOM | 1,708 SF |
| GA | 1,708 SF |
| CO-SERV. THRU | 1,094 SF |
| WORKER STATION | 1,094 SF |
| BIEN PAV. LAUNDRY | 1,883 SF |
| TOTAL | 22,375 SF |

IMPERVIOUS SURFACE CALCULATION

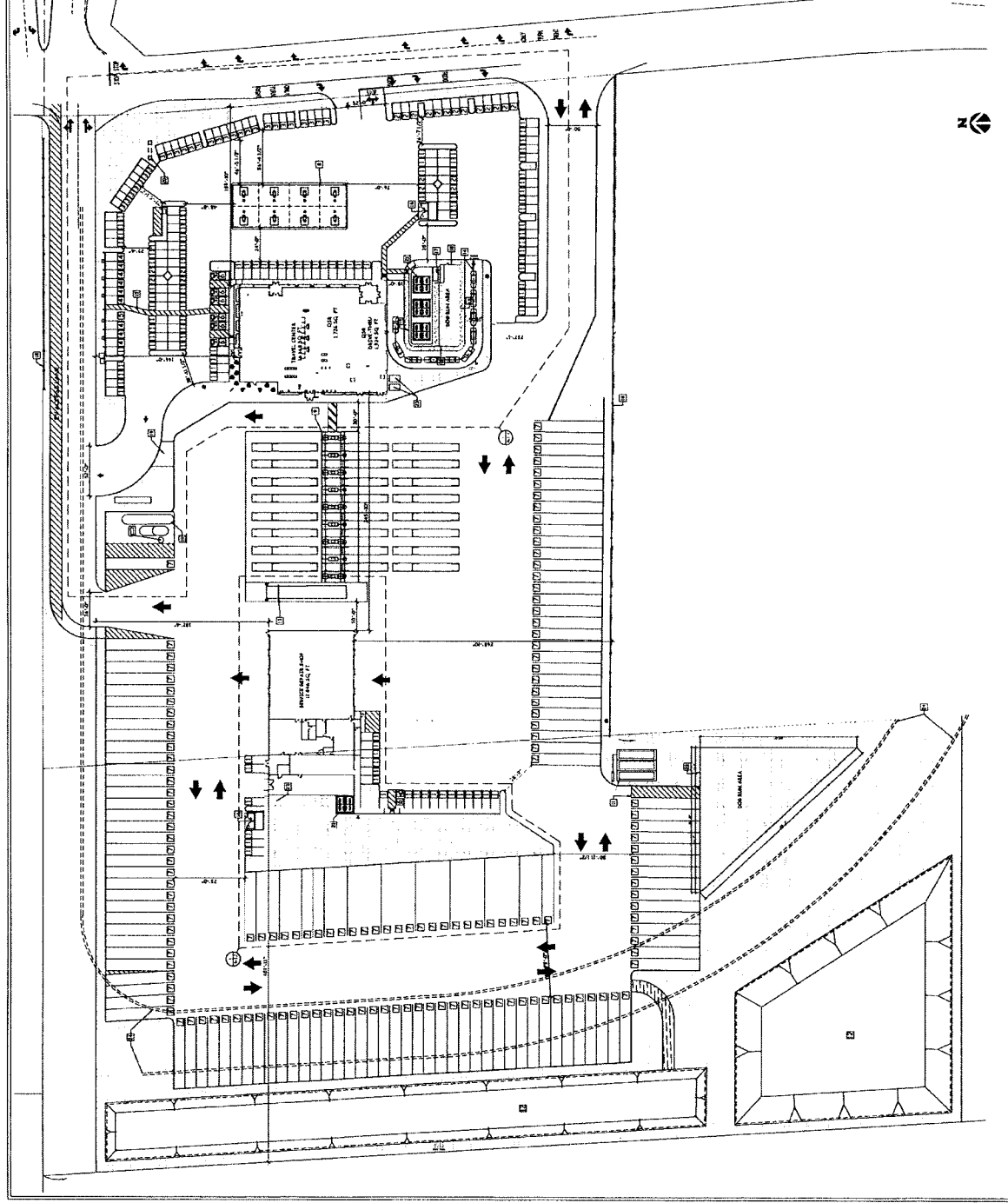
| | |
|-----------------|------------------|
| IMPERVIOUS AREA | 22,375 SF |
| PERVIOUS AREA | 17,775 SF |
| LANDSCAPING | 4,600 SF |
| BIEN PAV. | 21,807 SF (98%) |
| TOTAL | 22,375 SF |

PARKING CALCULATIONS

| | |
|----------------------------|------------------|
| RETAIL USE AND STORAGE | 100 SEATS |
| OFFICE USE AND STORAGE | 50 SEATS |
| INDUSTRIAL USE AND STORAGE | 50 SEATS |
| TOTAL | 200 SEATS |

SCALE: 1" = 50'-0"

NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS ROTTEN ON 11" x 17"



1 SITE PLAN

DATE: 03/29/23

NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS ROTTEN ON 11" x 17"

M. MCCORMICK ARCHITECT
ARCHITECTS

MAA
A PROJECT FOR:
DESIGN SERVICES
TEAM FANCHER DRIVE
11293 SOUTH MANTHEY ROAD
LATHROP, CA 94546
www.mccormickarchitect.com

DATE: 3/22/23
SCALE: 1/8" = 1'-0"
DRAWN: [blank]
CHECKED: [blank]
DATE: 3/22/23

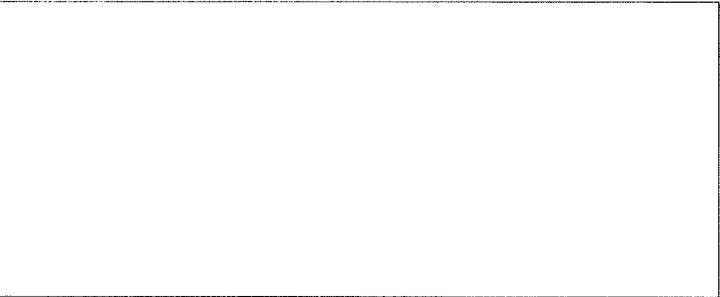


| NO. | DESCRIPTION | DATE |
|-----|---------------|---------|
| 1 | SET REVISIONS | 3/22/23 |
| 2 | | |
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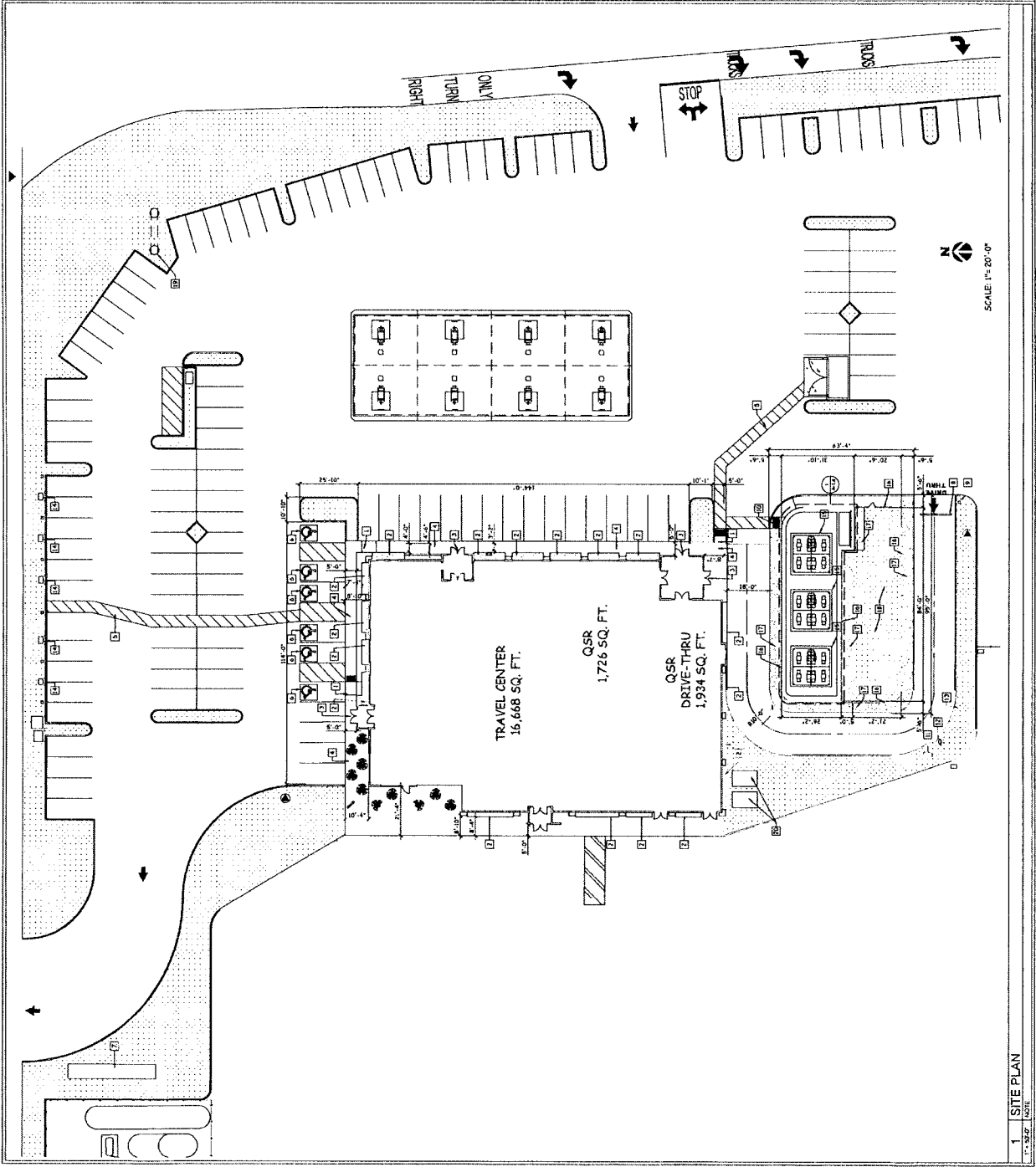
11293 SOUTH MANTHEY ROAD
LATHROP, CA.
ENLARGED C-STORE
SITE PLAN

SP-1.1

- SITE PLAN KEYNOTES**
1. PROVIDE ACCESSIBLE EXITS. TRAFFIC CROSSINGS DO NOT EXCEED 12" CLEARANCE.
 2. PROVIDE ACCESSIBLE EXITS. TRAFFIC CROSSINGS DO NOT EXCEED 12" CLEARANCE.
 3. PROVIDE ACCESSIBLE EXITS. TRAFFIC CROSSINGS DO NOT EXCEED 12" CLEARANCE.
 4. PROVIDE ACCESSIBLE EXITS. TRAFFIC CROSSINGS DO NOT EXCEED 12" CLEARANCE.
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 19. PROVIDE ACCESSIBLE EXITS. TRAFFIC CROSSINGS DO NOT EXCEED 12" CLEARANCE.
 20. PROVIDE ACCESSIBLE EXITS. TRAFFIC CROSSINGS DO NOT EXCEED 12" CLEARANCE.



NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"



1 SITE PLAN
DATE: 3/22/23

MHA
M. HIGDON/THOMAS ARCHITECT
LICENSE NO. 53481

DESIGN SERVICES
1100 SOUTH WANTHEY ROAD
LATHROP, CA 94546
TEL: 925.438.1100
WWW.MHAARCHITECT.COM

A PROJECT FOR:
STRATEGICAL INVESTMENTS, INC.
11293 SOUTH WANTHEY ROAD
LATHROP, CA 94546
LATHROP, CA 94546



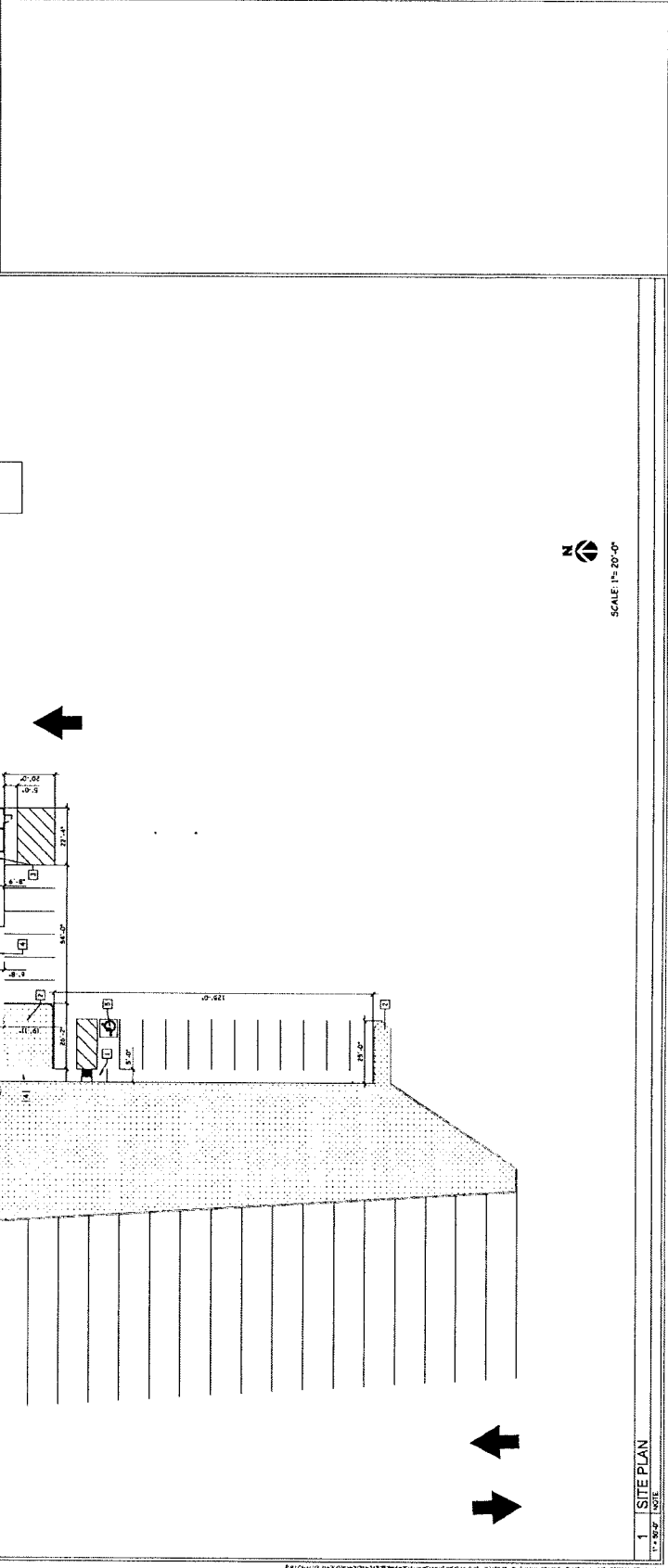
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| 1 | DATE | 3/29/23 |

| DATE | SCALE | DRAWN | CEO | APPD |
|------|-------|-------|-----|------|
| | | | | |

11293 SOUTH WANTHEY ROAD
LATHROP, CA
SITE PLAN - ENLARGED
SERVICE REPAIR SHOP

SP-1.2

- SITE PLAN KEYNOTES**
1. ALL EXISTING AND PROPOSED UTILITIES SHOWN AS APPROXIMATE.
 2. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 4. ACCESSIBLE CONCRETE SURFACE DRAINAGE SLOPE DOES NOT EXCEED 1:12 IN ANY DIRECTION. CLEARANCE AT CURBS & SLOPE NOT TO EXCEED 4 INCHES.
 5. ACCESSIBLE PARKING AND DRIVWAY: READY IMPACT SLOPE DOES NOT EXCEED 1:12 IN ANY DIRECTION UNLESS OTHERWISE NOTED. SPACES AND ACCESSIBLE DRIVWAYS SHALL BE 8 FEET WIDE.
 6. ALL ACCESSIBLE DRIVEWAYS SHALL BE 8 FEET WIDE.
 7. APPROXIMATE.

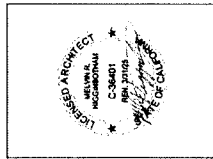


NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

MMA
M. MOONSHAM ARCHITECT
LICENSE NO. C-36861

DESIGN SERVICES
1188 FRENCH DRIVE
COSTA MESA, CA 92626
www.moonsham.com

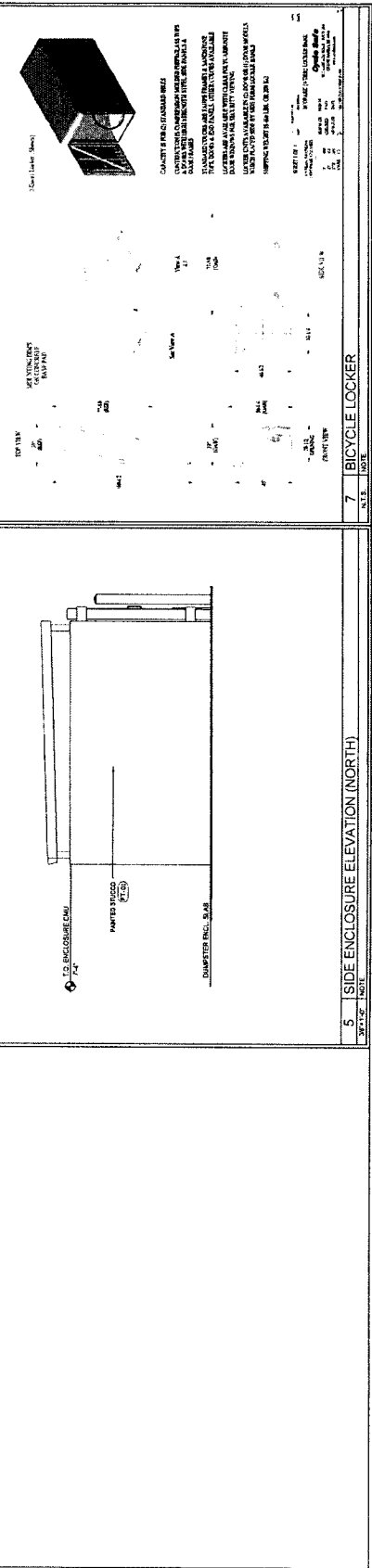
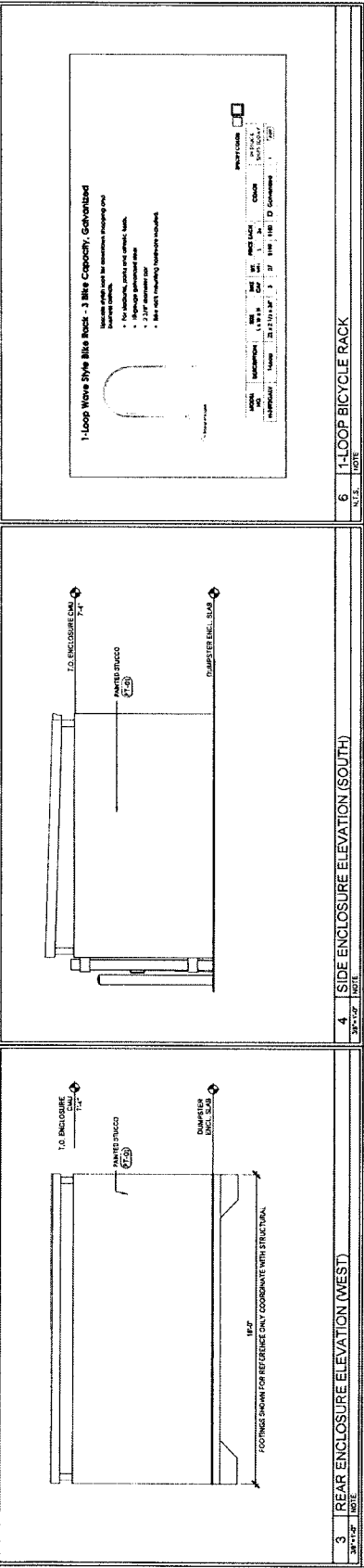
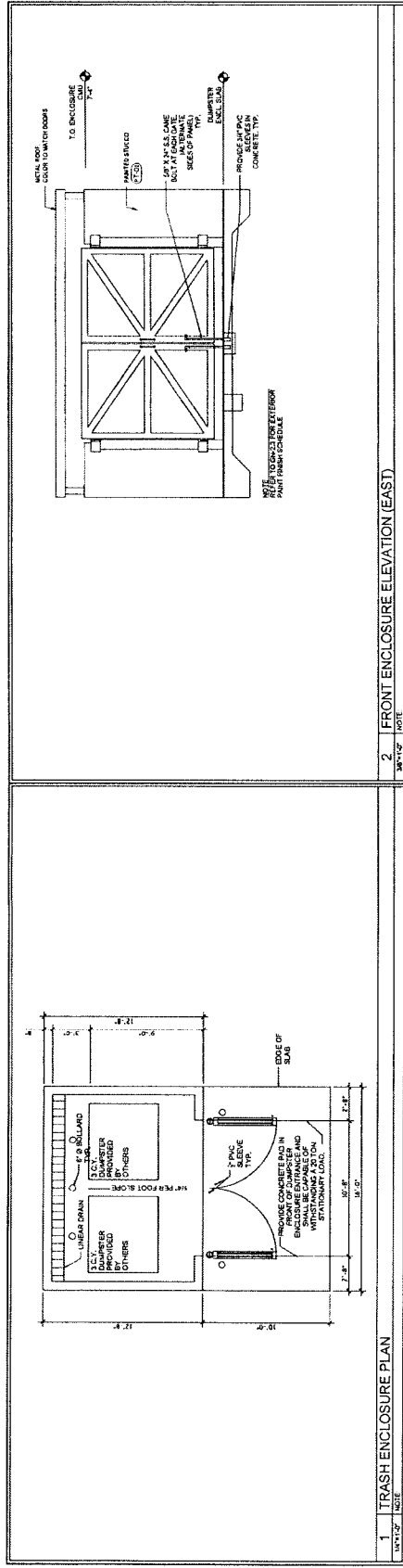
A PROJECT FOR:
STATIONARY LOCKER BICYCLE RACK
17700 SOUTHWAY PARKWAY
LATHROP, CA 95120



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| NO. DESCRIPTION | DATE |
| 0 REVIEW SET | 03/05/23 |
| DATE | 3/6/23 |
| SCALE | |
| DRN/N | |
| CFO | |
| APPD | |

11293 SOUTH WANTHEY ROAD
LATHROP, CA
TRASH ENCLOSURE DETAILS
COLOR ELEVATIONS

SD-1.0



NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

MHA
 M. HIGGINS/DONHAM ARCHITECT
 11541 FRANCH DRIVE
 DUBLIN, CA 94568
 (925) 233-3889
 www.mhadesign.com

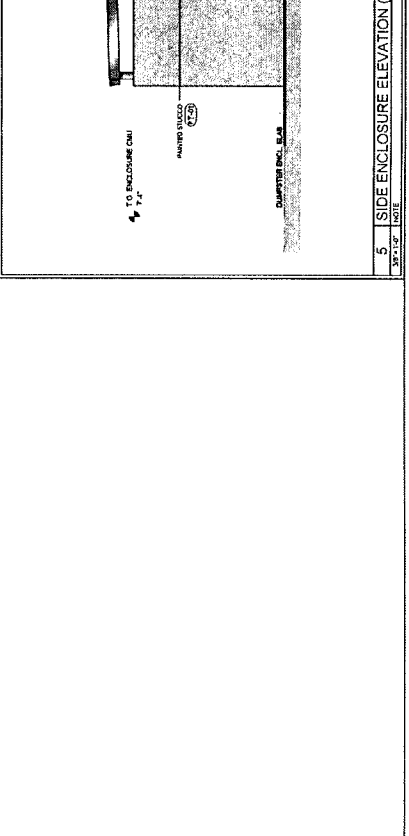
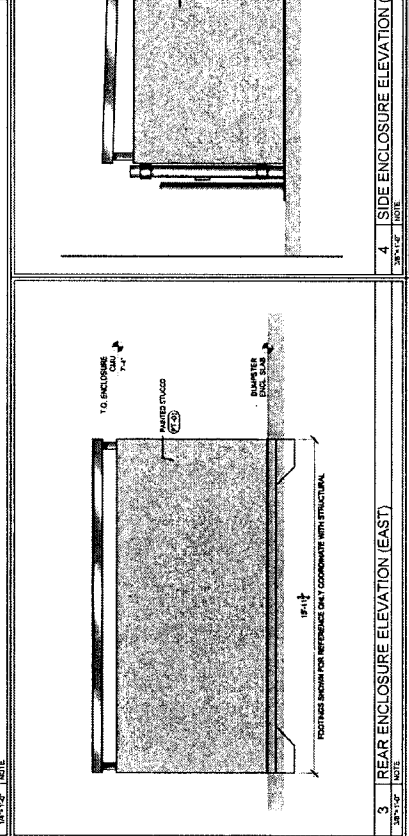
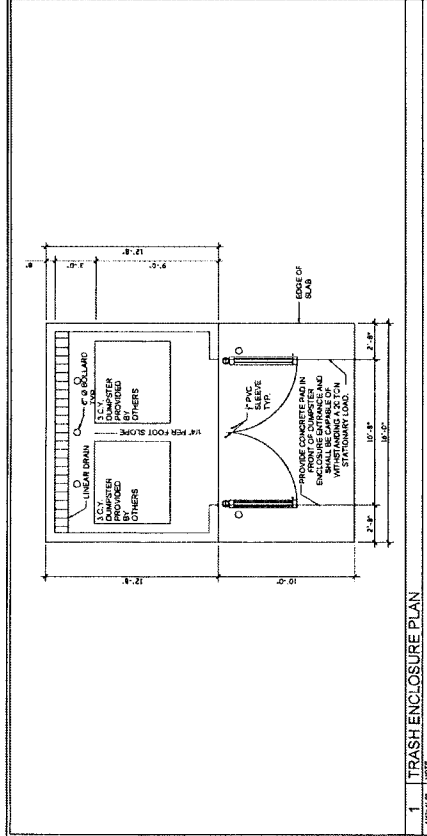
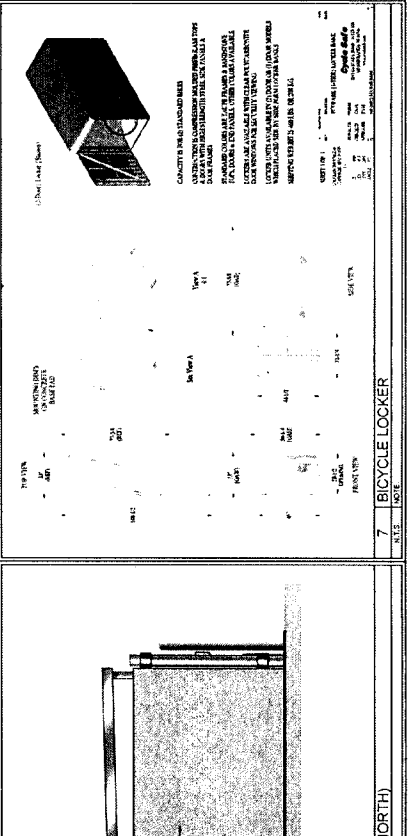
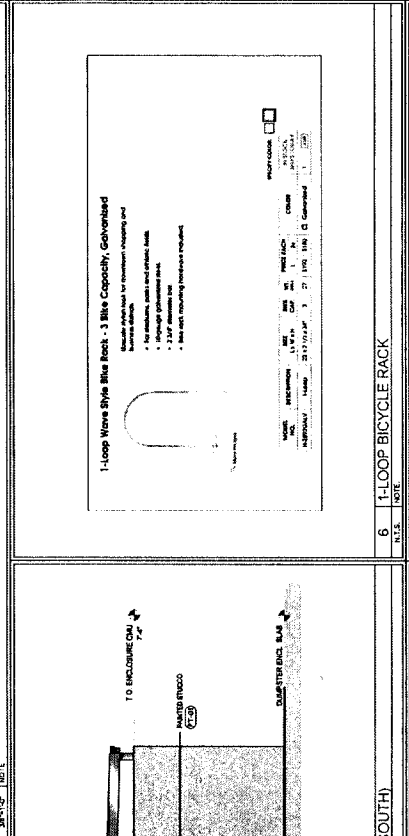
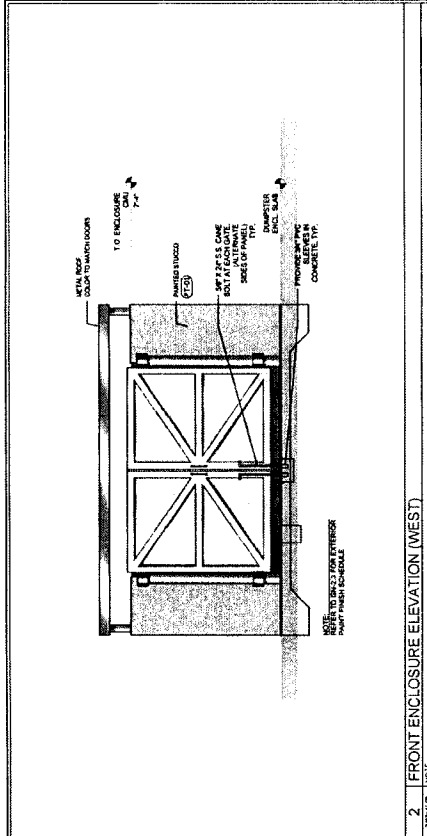
A PROJECT FOR:
 SHANGHAI EAST RIVER
 CONTACT: SHANGHAI EAST RIVER
 THROUGH ARCHITECT MHA
 11/10/2013



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| DATE | 11/6/23 |
| NO. DESCRIPTION | 0 REVIEW SET |
| DATE | 09/08/23 |
| SCALE | |
| DRAWN | |
| CFD | |
| APPD | |

11293 SOUTH MANTHEY ROAD
 LATHROP, CA
 TRASH ENCLOSURE DETAILS
 COLOR ELEVATIONS

SD-1.0a



NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

MHA
 M. HUGHES ARCHITECT
 LICENSE NO. 12 30691
 DESIGN SERVICES
 1500 SOUTH WANTHEY ROAD
 LATHROP, CA 95330
 PH: 925.835.8888
 WWW.MHAArchitect.com
 MAIL: ARCH@MHAArchitect.com

A PROJECT FOR:
 ENHANCED CLEAN INVESTMENT INC
 1500 SOUTH WANTHEY ROAD
 LATHROP, CA 95330

CIVIL ENGINEERING
 LICENSE NO. 4488
 CIVIL ENGINEERING

CIVILS STREET
 LANDSCAPE ARCHITECTURE
 1571 BAY DRIVE
 FORTYFOUR, CA 94722
 PHONE: (925) 942-3333
 WWW.CIVILSSTREET.COM

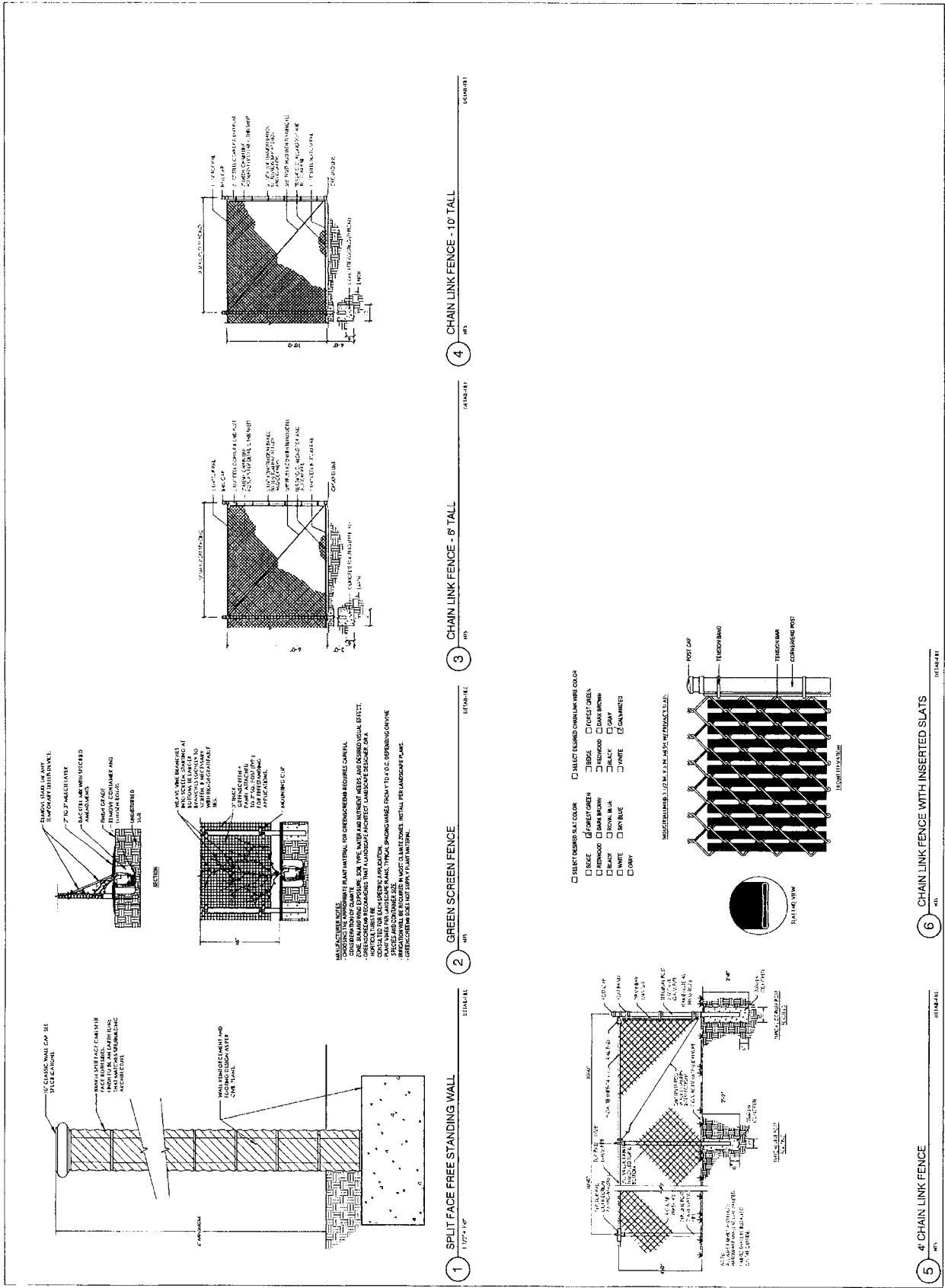
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| SCALE | AS SHOWN |
| DESIGN | PLANNING |
| CDD | |
| APPD | |

SET REVISIONS

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| NO. | DESCRIPTION |
| 0 | REVIEW SET |
| 1 | PLANNING |

11293 SOUTH WANTHEY ROAD
 LATHROP, CA
 LANDSCAPE PLAN
 DETAILS

L3



NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

1 SPLIT FACE FREE STANDING WALL
 1:1/2" = 1'-0"

2 GREEN SCREEN FENCE
 3/4" = 1'-0"

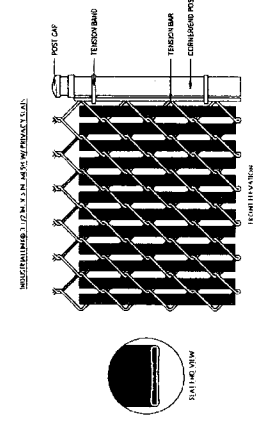
3 CHAIN LINK FENCE - 8' TALL
 3/4" = 1'-0"

4 CHAIN LINK FENCE - 10' TALL
 3/4" = 1'-0"

5 4' CHAIN LINK FENCE
 3/4" = 1'-0"

6 CHAIN LINK FENCE WITH INSERTED SLATS
 3/4" = 1'-0"

- SELECT COLORS:**
- BEIGE FOREST GREEN
 - BIRCH HICKORY
 - DARK BROWN OAK BROWN
 - BLACK FORMAL BLUE
 - BLUE PINE
 - GRAY GRAYED
 - PINK PINK
- SELECT FINISH CHAIN LINK WIRE COLOR:**
- BIRCH
 - FOREST GREEN
 - OAK BROWN
 - GRAY
 - GRAYED
 - PINK



1 SPLIT FACE FREE STANDING WALL
 1:1/2" = 1'-0"

2 GREEN SCREEN FENCE
 3/4" = 1'-0"

3 CHAIN LINK FENCE - 8' TALL
 3/4" = 1'-0"

4 CHAIN LINK FENCE - 10' TALL
 3/4" = 1'-0"

5 4' CHAIN LINK FENCE
 3/4" = 1'-0"

6 CHAIN LINK FENCE WITH INSERTED SLATS
 3/4" = 1'-0"

M. MOONSHOT/AM ARCHITECT
LICENSE NO. 53461

MAA
DESIGN SERVICES
1534 FRANCHISE DRIVE
CHINA WALL, CA 94504
925.434.8811
www.maaarchitecture.com

A PROJECT FOR:
STANFORD UNIVERSITY
11293 SOUTH WANTHEY ROAD
LATHROP, CA 94553

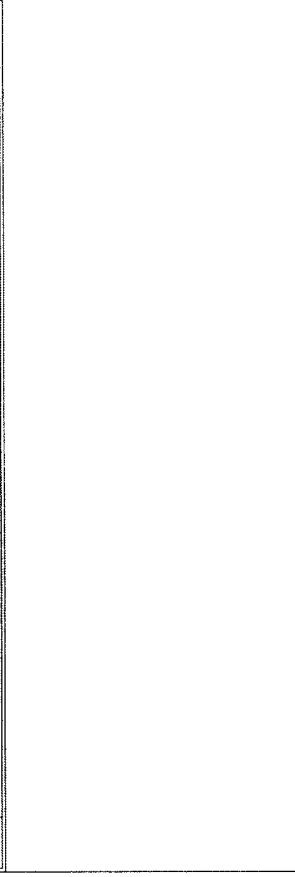
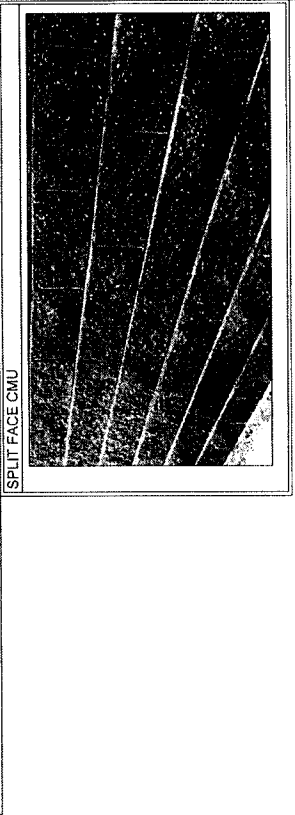
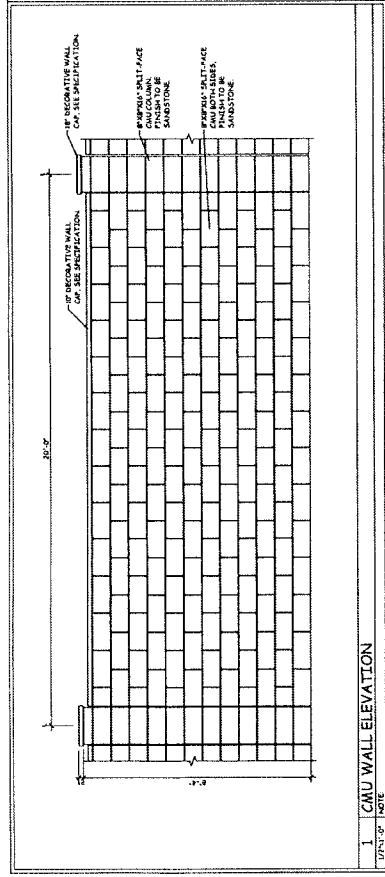
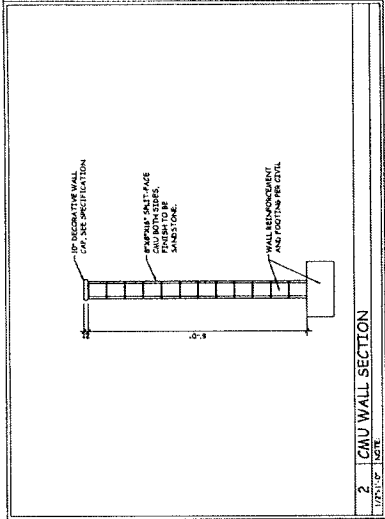
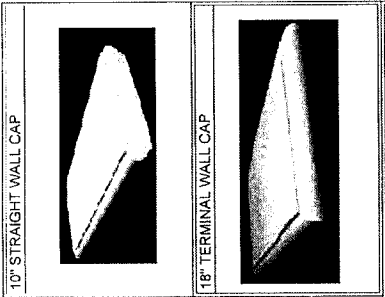


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| DRAWN | | |
| CEO | | |
| APPD | | |

DATE: 3/6/23

11293 SOUTH WANTHEY ROAD
LATHROP, CA.

SD-1.1



NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

M. HIGDON/STAM ARCHITECT
11544 PAVILION DRIVE
SAN DIEGO, CA 92121
TEL: 619.451.1000
WWW.MHSTAM.COM

MHA
DESIGN SERVICES

A PROJECT FOR:
SINGH & PARTNERS ARCHITECTS P.C.
CONTACT: KATHERINE STAM
1700 LAUREL PARKWAY
SAN DIEGO, CA 92108



| NO. | DESCRIPTION | DATE |
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| APPD | | |

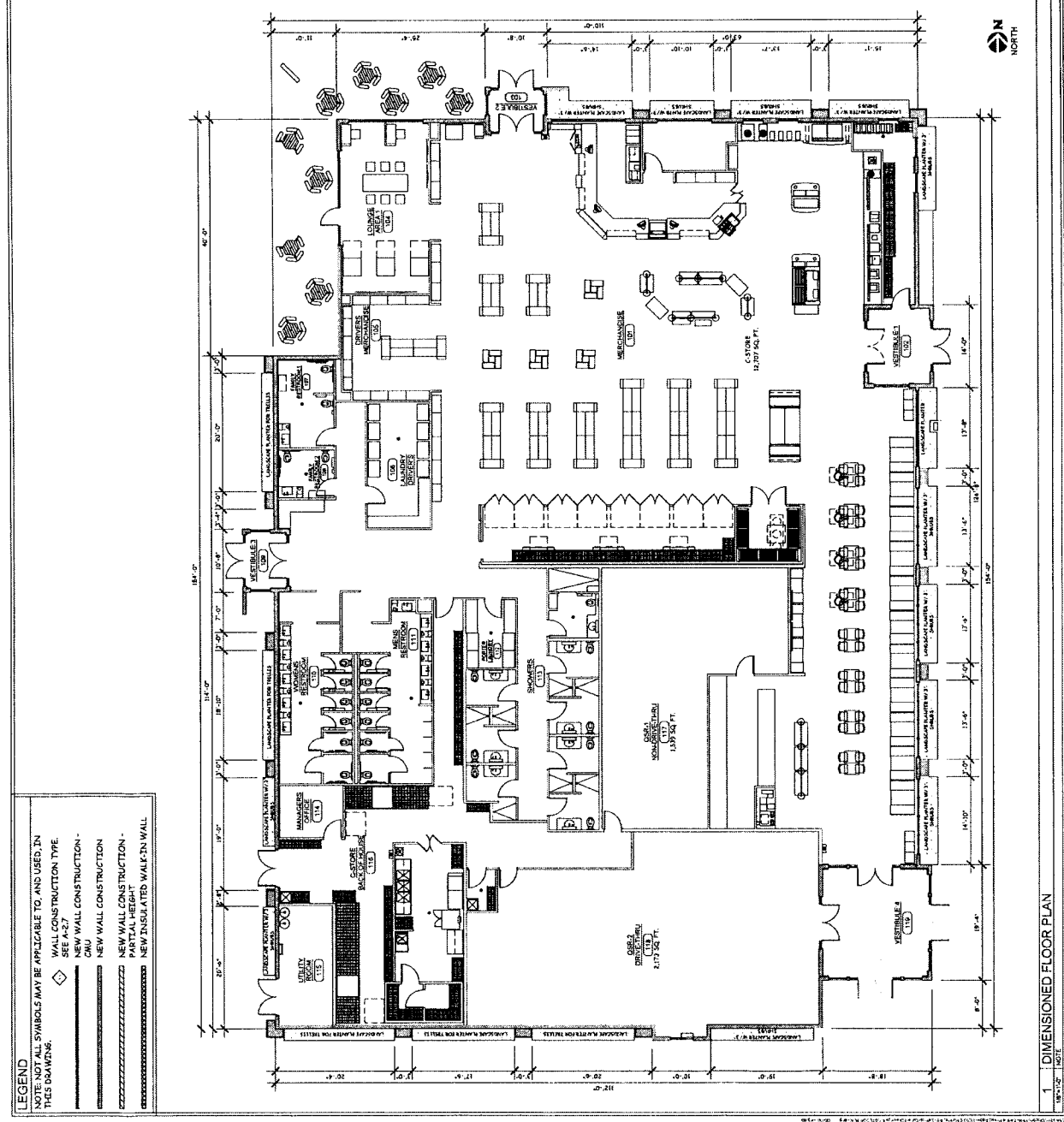
11293 SOUTH MANTHEY ROAD
LATHROP, CA.
DIMENSIONED FLOOR PLAN

A-1.0

KEYNOTES

GENERAL NOTES

1. ALL INTERIOR DIMENSIONS ARE FINISH SURFACE TO FINISH SURFACE OR CENTER LINE OF COLUMNS, UNLESS OTHERWISE NOTED.
2. ALL WALLS TO BE SET TO A FINISH FINISH LINE.
3. THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH STRUCTURAL, MECHANICAL, ELECTRICAL AND PLUMBING DRAWINGS AS A COMPLETE SET.
4. PROVIDE BLOCKING AND BRACING AS DEFINED IN NEW PARTITIONS, FOR ALL CASEWORK AND ACCESSORIES COORDINATE WITH FIXTURE SHOP DRAWINGS.
5. PROVIDE WATER RESISTANT B.P. SD. AT ALL WET LOCATIONS.
6. ALL DOORS TO BE OPENING INTO UNFINISHED WALL JOIN.
7. WET ROOMS TO BE OPENING INTO UNFINISHED WALL JOIN.
8. SPREAD CLASSIFICATION IN 1947 TABLE 603.11 ELECTRICAL RECEPTACLE MOUNTING HEIGHTS TO COMPLY WITH IBC SECTION 1109.13 AND ELECTRICAL DOWNS



LEGEND

NOTE: NOT ALL SYMBOLS MAY BE APPLICABLE TO, AND USED, IN THIS DRAWING.

- ◊ WALL CONSTRUCTION TYPE SEE A-2.7
- NEW WALL CONSTRUCTION - PARTIAL HEIGHT
- NEW WALL CONSTRUCTION - FULL HEIGHT
- NEW INSULATED WALL-FIN WALL

1 DIMENSIONED FLOOR PLAN

NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

M. HIGGINS/HAM ARCHITECT
 LICENSED ARCHITECT
 17800 BURNETT PARKWAY
 LA JOLLA, CA 92038

MAA
 DESIGN SERVICES
 17800 BURNETT PARKWAY
 LA JOLLA, CA 92038
 (619) 451-5555
 www.maaarchitect.com

A PROJECT FOR:
 SHERWIN WILLIAMS, 11293 SOUTH MANTHEY ROAD
 LATHROP, CA 94546
 CONTACT: GUY/DAVIDSON/STONER
 LATHROP, CA 94546



| | |
|-----------------|---------------|
| DATE | 04/12/22 |
| NO. DESCRIPTION | SET REVISIONS |
| REVISION SET | |
| SCALE | |
| DRAWN | |
| CAD | |
| APPD | |

11293 SOUTH MANTHEY ROAD
 LATHROP, CA
 EXTERIOR ELEVATIONS
 COLOR

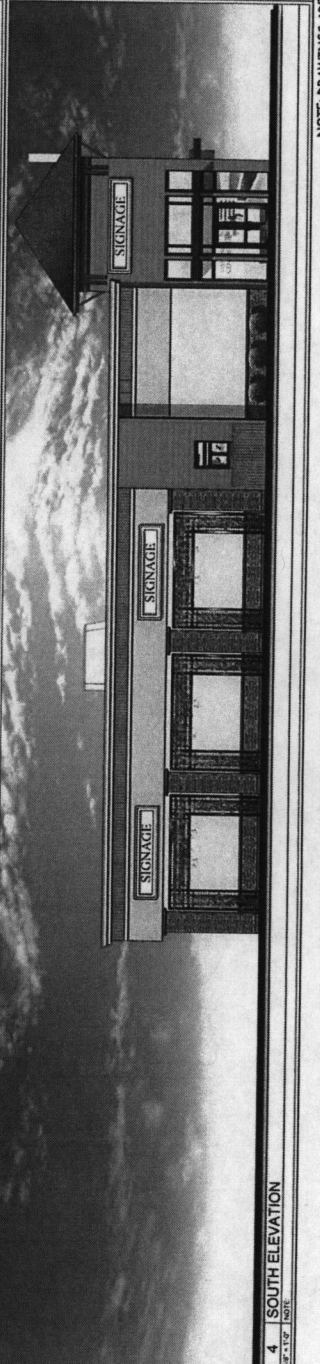
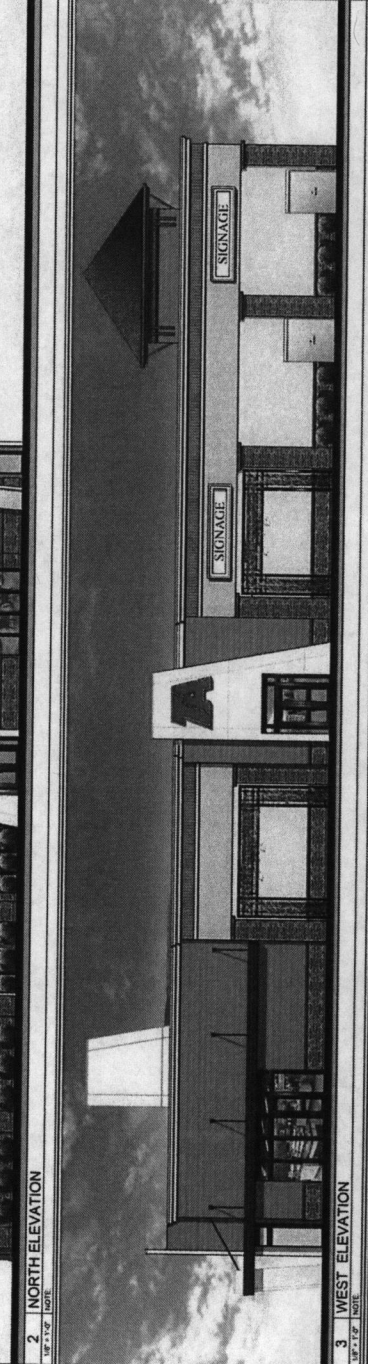
A-5.0a

FINISH SCHEDULE

| | |
|--------|---|
| PF-01 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-02 | "FADE WHITE" |
| PF-03 | "SKITFADE" |
| PF-04 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 9713 |
| PF-05 | "EXTRA WHITE" |
| PF-06 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-07 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-08 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-09 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
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| PF-51 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-52 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-53 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-54 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-55 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-56 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-57 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-58 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-59 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-60 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-61 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-62 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-63 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-64 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-65 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-66 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-67 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-68 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-69 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-70 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-71 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-72 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-73 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-74 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-75 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-76 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-77 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-78 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-79 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-80 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-81 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-82 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-83 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-84 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-85 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-86 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-87 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-88 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-89 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-90 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-91 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-92 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-93 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-94 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-95 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-96 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-97 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-98 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-99 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |
| PF-100 | PAINTED STUCCO COLOR SHERWIN WILLIAMS SW 6069 |

FINISH SAMPLES

| | |
|--|--|
| SW 6069 Pacer White Interior Exterior Location Number: 207-C7 | SW 9713 SINIALE Interior Exterior Location Number: 208-C1 |
| SW 7006 Extra White Interior Exterior Location Number: 207-C7 | SW 6069 Stop Interior Exterior Location Number: 181-C3 |
| SHERWIN WILLIAMS SW6069 "EXTRA WHITE" | SHERWIN WILLIAMS SW9713 "SANTIAE" |
| TA CUSTOM BLUE | METAL ROOF "CHARCOAL GRAY" |
| WOOD GRAIN "DOUGLAS FIR" | EL DORADO STONE MOUNTAINLEDGE "SIERRA" |
| EL DORADO STONE SPLIT EDGE SILL, "COASTAL SAND" | |



NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

M. HERRINGTON ARCHITECT
 LICENSE NO. C-3401

MHA
 DESIGN SERVICES
 10000 W. CENTRAL EXPRESSWAY
 SUITE 100
 CHANA VALLEY, CA 94524
 TEL: (925) 391-1000
 WWW.MHARCHITECT.COM

A PROJECT FOR:
 SHAG-HETEROGENEUS INVESTMENT LLC
 CONTACT: GABRIELLA SHERIN
 PROJECT NO. 17-0001
 DATE: 3/14/23
 LOCATION: LATHROP, CA 94546



| NO | DESCRIPTION | DATE |
|----|-------------|----------|
| 0 | REVIEW SET | 02/06/23 |
| 1 | SCALE | |
| 2 | DRAWN | |
| 3 | CD | |
| 4 | APPD | |

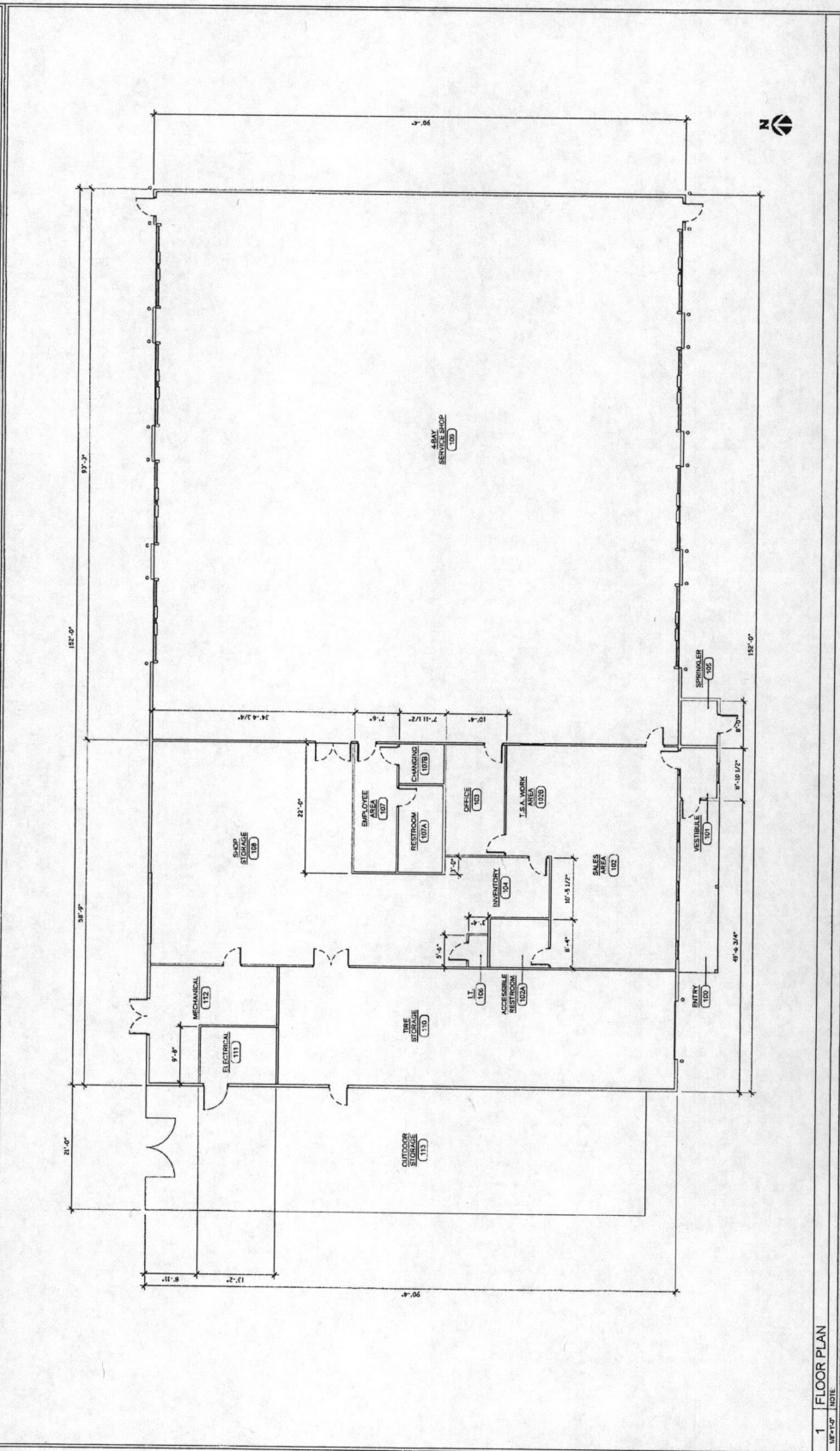
11293 SOUTH MANTHEY ROAD
 LATHROP, CA
 TRUCK SERVICE
 FLOOR PLAN

TS-1.0

KEYNOTES

GENERAL NOTES

- ALL INTERIOR DIMENSIONS ARE FINISH SURFACE TO FINISH SURFACE OR CENTER LINE OF COLUMNS, UNLESS OTHERWISE NOTED.
- ALL WALLS TO RECEIVE A LEVEL 4 FINISH UNLESS NOTED OTHERWISE.
- THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH STRUCTURAL, MECHANICAL, ELECTRICAL AND PLUMBING DRAWINGS AS A COMPLETE SET.
- ALL PARTITIONS AND PARTITIONS AS DEFINED IN SPECIFICATIONS AT THE TIME OF THE PERMITS AND NEW PARTITIONS, FOR ALL CASEWORK AND ACCESSORIES COORDINATE WITH FIXTURE SHOP DRAWINGS.
- PROVIDE WATER RESISTANT GYP. BD. AT ALL WET LOCATIONS. PROVIDE 1/2" GYP. BOARD OVER ALL WET WALLS UNLESS OTHERWISE NOTED.
- WALL, FLOOR AND CEILING SHALL NOT EXCEED THE PLANE SPREAD CLASSIFICATION IN IBC TABLE 603.11.
- ELECTRICAL RECEPTACLE MOUNTING HEIGHTS TO COMPLY WITH IBC SECTION 603.13 AND ELECTRICAL DRAWS.



1 FLOOR PLAN
 UP 1/8" = 1'-0"

NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"



FINISH SCHEDULE

MATERIAL/FINISH

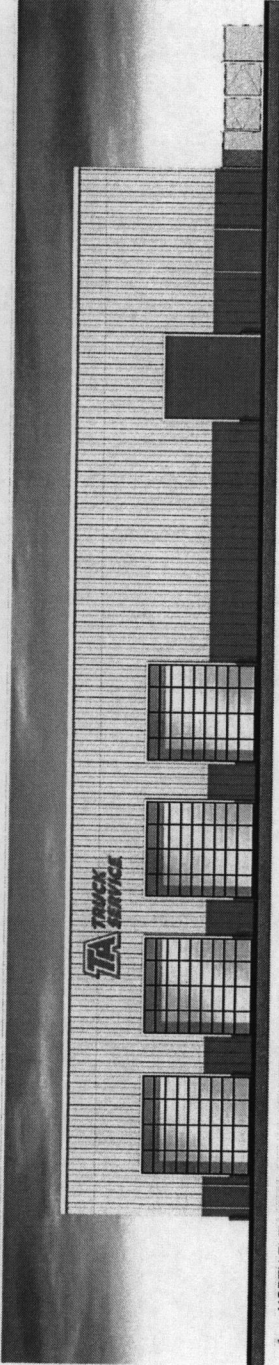
| | |
|-------|---|
| PT-01 | PAINTED METAL SIDING, COLOR: SHERWIN WILLIAMS SW 6099 "PACER WHITE" |
| PT-02 | PAINT, COLOR: TA CUSTOM BLUE |
| PT-03 | PAINT, COLOR: SHERWIN WILLIAMS SW 6669 "STOP WHITE" |
| PT-04 | PAINT, COLOR: SHERWIN WILLIAMS SW 7006 "EXTRA WHITE" |
| RO-01 | ROOFING, 1-1/2" MODIFIED BITUMEN SYSTEM, COLOR: GRAY |

KEYNOTES

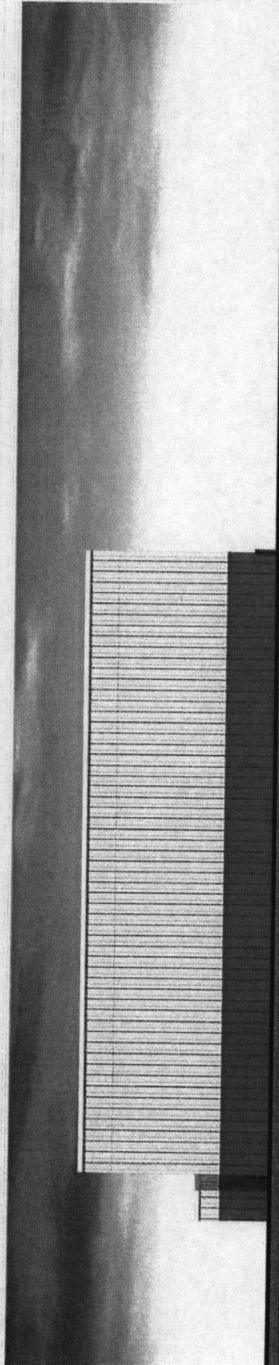
1. 1/2" x 1/4" METAL ROLL-UP DOOR WITH GLASS PANELS W/ FACTORY FINISH. SEE ELEVATIONS FOR COLOR OF FRAME, VENTIL W/ CORNER FINISH. SEE ELEVATIONS FOR COLOR OF FRAME, VENTIL W/ CORNER FINISH.
2. 1/2" x 1/4" STEEL ROLL-UP DOOR W/ FACTORY FINISH AND STEEL VENTIL W/ CORNER FINISH. SEE ELEVATIONS FOR COLOR OF FRAME, VENTIL W/ CORNER FINISH.
3. STOREFRONT/WINDOW FRAME, FACTORY FINISH: BLACK. FINISH TO MATCH WINDOW FRAME.
4. GLASS: 3/4" CLEAR GLASS FOR REPLACEMENT ONLY. ISHAGHE DESIGN PROVIDED BY OTHERS.
5. # 0 STEEL ROLL-UP DOOR.
6. 1/2" x 1/4" METAL ROLL-UP DOOR WITH GLASS PANELS W/ FACTORY FINISH. SEE ELEVATIONS FOR COLOR OF FRAME, VENTIL W/ CORNER FINISH.
7. 1/2" x 1/4" STEEL ROLL-UP DOOR W/ FACTORY FINISH AND STEEL VENTIL W/ CORNER FINISH. SEE ELEVATIONS FOR COLOR OF FRAME, VENTIL W/ CORNER FINISH.

FINISH SAMPLES

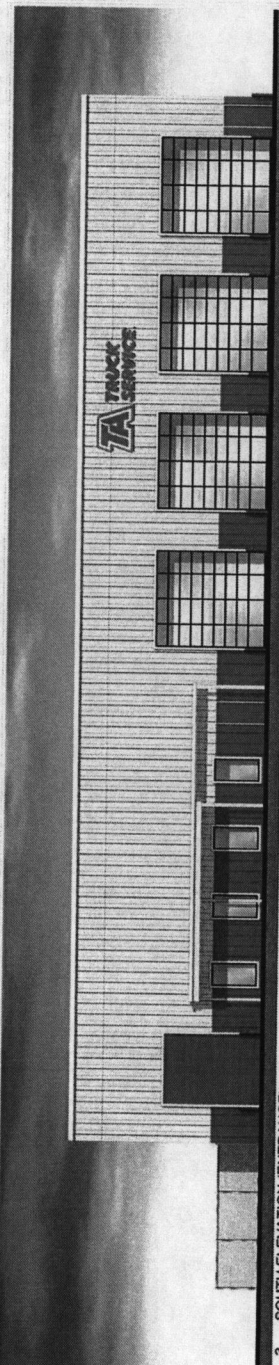
| | |
|--|---|
| SW 6098 Pacer White Interior Color Color Number: 20127 | TA CUSTOM BLUE |
| SHERWIN WILLIAMS: SW6098 "PACER WHITE" | SW 6669 Stop Interior / Exterior Color Number: 18 211 |
| SW 7006 Extra White Interior / Exterior Color Number: 201 01 | SHERWIN WILLIAMS: SW7006 "EXTRA WHITE" |



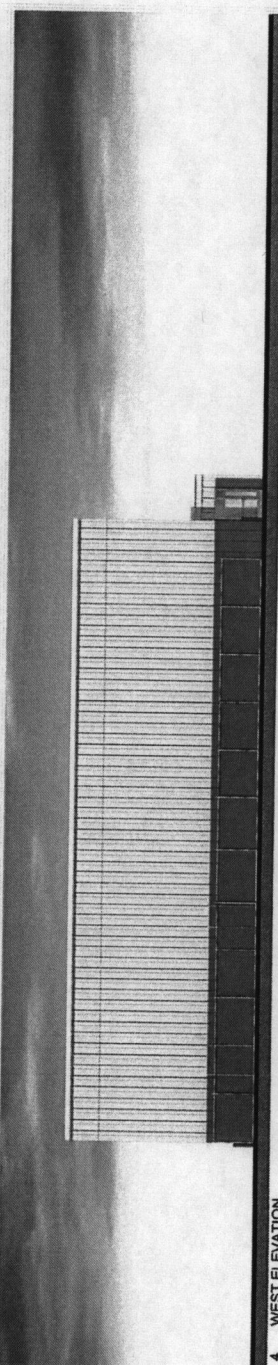
1 NORTH ELEVATION
1/8" = 1'-0" NOTE



2 EAST ELEVATION
1/8" = 1'-0" NOTE



3 SOUTH ELEVATION (ENTRANCE)
1/8" = 1'-0" NOTE



4 WEST ELEVATION
1/8" = 1'-0" NOTE

DATE: 08/11/22
 SCALE: DRAWN: APPD:
 SET REVISIONS: NO DESCRIPTION 0 REVISION SET

11293 SOUTH MANTHEY ROAD
 LATHROP, CA
 TRUCK SERVICE
 EXTERIOR ELEVATIONS
 COLOR

TS-5.0a

NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

MHA
M. HOSSEINIAN ARCHITECT
LICENSE NO. C-38811

DEBON SERVICES
12345 MARKET STREET
DUBLIN, CA 94568
415-555-1234
www.debon.com

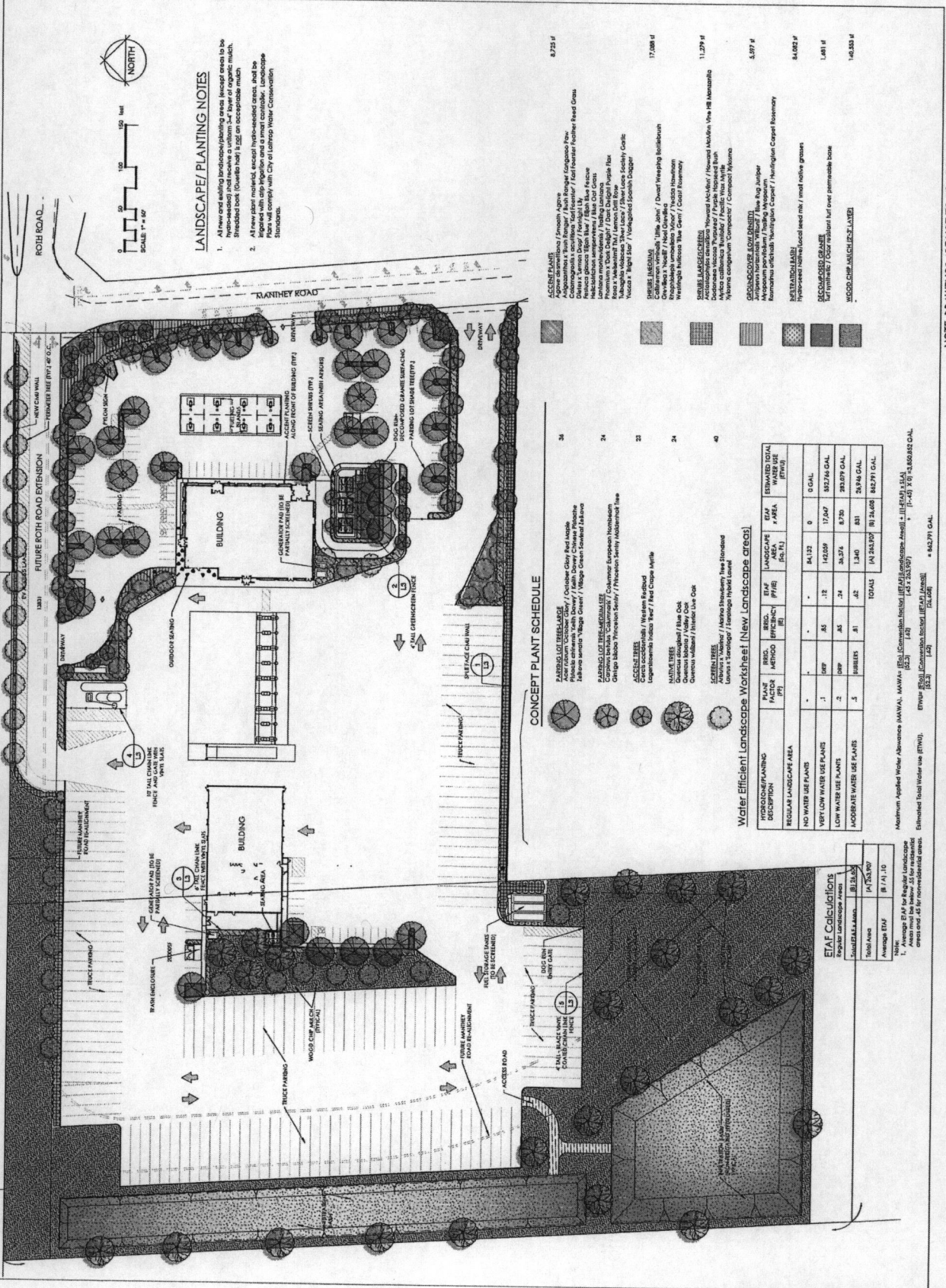
A PROJECT FOR:
STANFORD UNIVERSITY INVESTMENT TRUST
12345 MARKET STREET
DUBLIN, CA 94568

LANDSCAPE ARCHITECTURE
P.O. Box 1000
12345 MARKET STREET
DUBLIN, CA 94568
415-555-1234
www.landscapearch.com

| NO. | DESCRIPTION | DATE |
|-----|------------------------|----------|
| 0 | REVIEW SET | 07/19/22 |
| 1 | PLANNING | 03/22/23 |
| 2 | SCHEMATIC DESIGN | |
| 3 | PRELIMINARY DESIGN | |
| 4 | FINAL DESIGN | |
| 5 | CONSTRUCTION DOCUMENTS | |

LANDSCAPE PLAN
LATHROP, CA
12345 SOUTH WANTHEY ROAD

L1



CONCEPT PLANT SCHEDULE

| PLANT | PLANT FACTOR (PF) | BRID. | EFFICIENCY (E) | LANDSCAPE AREA (SQ. FT.) | ESTIMATED TOTAL WATER USE (GAL) |
|-------|-------------------|-------|----------------|--------------------------|---------------------------------|
| 34 | 1.0 | 1.0 | 1.0 | 1000 | 1000 |
| 24 | 0.5 | 0.5 | 0.5 | 2000 | 1000 |
| 23 | 0.2 | 0.2 | 0.2 | 4000 | 800 |
| 24 | 0.5 | 0.5 | 0.5 | 2000 | 1000 |
| 40 | 0.1 | 0.1 | 0.1 | 10000 | 1000 |

Water Efficient Landscape Worksheet (New Landscape areas)

| HYDROLOGIC/PLANTING DESCRIPTION | PLANT FACTOR (PF) | BRID. | EFFICIENCY (E) | LANDSCAPE AREA (SQ. FT.) | ESTIMATED TOTAL WATER USE (GAL) |
|---------------------------------|-------------------|-------|----------------|--------------------------|---------------------------------|
| REGULAR LANDSCAPE AREA | 1.0 | 1.0 | 1.0 | 1000 | 1000 |
| NO WATER USE PLANTS | 0.0 | 0.0 | 0.0 | 1000 | 0 |
| VERY LOW WATER USE PLANTS | 0.1 | 0.1 | 0.1 | 1000 | 100 |
| LOW WATER USE PLANTS | 0.2 | 0.2 | 0.2 | 1000 | 200 |
| HIGHER WATER USE PLANTS | 0.5 | 0.5 | 0.5 | 1000 | 500 |
| TOTALS | | | | 5000 | 1800 |

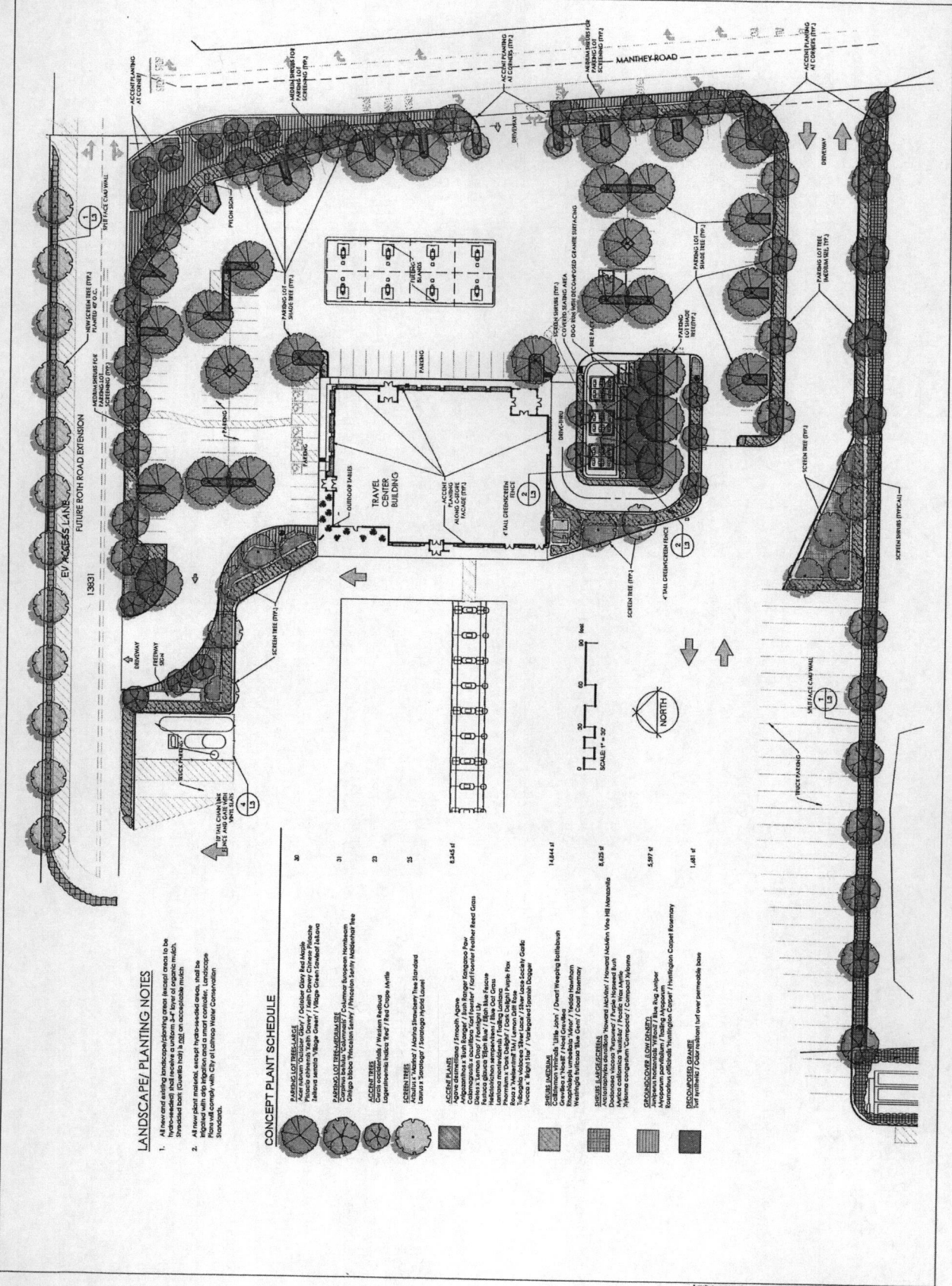
Maximum Applied Water Allowance (MAWA) = (EFC) (Conversion factor) (EPA) (Land Area) = 1.0 (0.25) (1.0) (5000) = 1250 GALS
 Estimated Total Water Use (ETWU) = (ETWU) (Conversion factor) (EPA) (Area) = 1.0 (0.25) (1.0) (1800) = 450 GALS

ET&E Calculations

| | |
|------------------|--------|
| Total Area | 10,000 |
| Area of Building | 1,000 |
| Area of Parking | 2,000 |
| Area of Driveway | 500 |
| Area of Other | 5,500 |

NOTE: DRAWINGS ARE NOT TO SCALE. IF SHEET IS PLOTTED ON 11" x 17"

| NO. | DESCRIPTION | DATE |
|-----|-------------|------|
| 1 | REVISIONS | |
| 2 | REVISIONS | |
| 3 | REVISIONS | |
| 4 | REVISIONS | |
| 5 | REVISIONS | |
| 6 | REVISIONS | |
| 7 | REVISIONS | |
| 8 | REVISIONS | |
| 9 | REVISIONS | |
| 10 | REVISIONS | |
| 11 | REVISIONS | |
| 12 | REVISIONS | |
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| 56 | REVISIONS | |
| 57 | REVISIONS | |
| 58 | REVISIONS | |
| 59 | REVISIONS | |
| 60 | REVISIONS | |



LANDSCAPE/PLANTING NOTES

- All new and existing landscape/planting areas (except grass) to be installed shall receive a uniform 2" layer of organic mulch. The mulch shall be applied in a uniform 2" layer.
- All plantings shall be installed in accordance with the City of Lathrop Water Conservation Standard.

CONCEPT PLANT SCHEDULE

| | | |
|--|-----------|--|
| | 30 | PARKING LOT TREES (TP) Stereocaulis californica / Columbia Redwood |
| | 31 | PARKING LOT TREES (TP) Stereocaulis californica / Columbia Redwood |
| | 32 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 33 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 34 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 35 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 36 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 37 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 38 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 39 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 40 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 41 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 42 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 43 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 44 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 45 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 46 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 47 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 48 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 49 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 50 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 51 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 52 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 53 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 54 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 55 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 56 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 57 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 58 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 59 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |
| | 60 | SCREENING TREES (T) Liquidambar styraciflua / American Sweetgum |

NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"

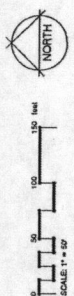
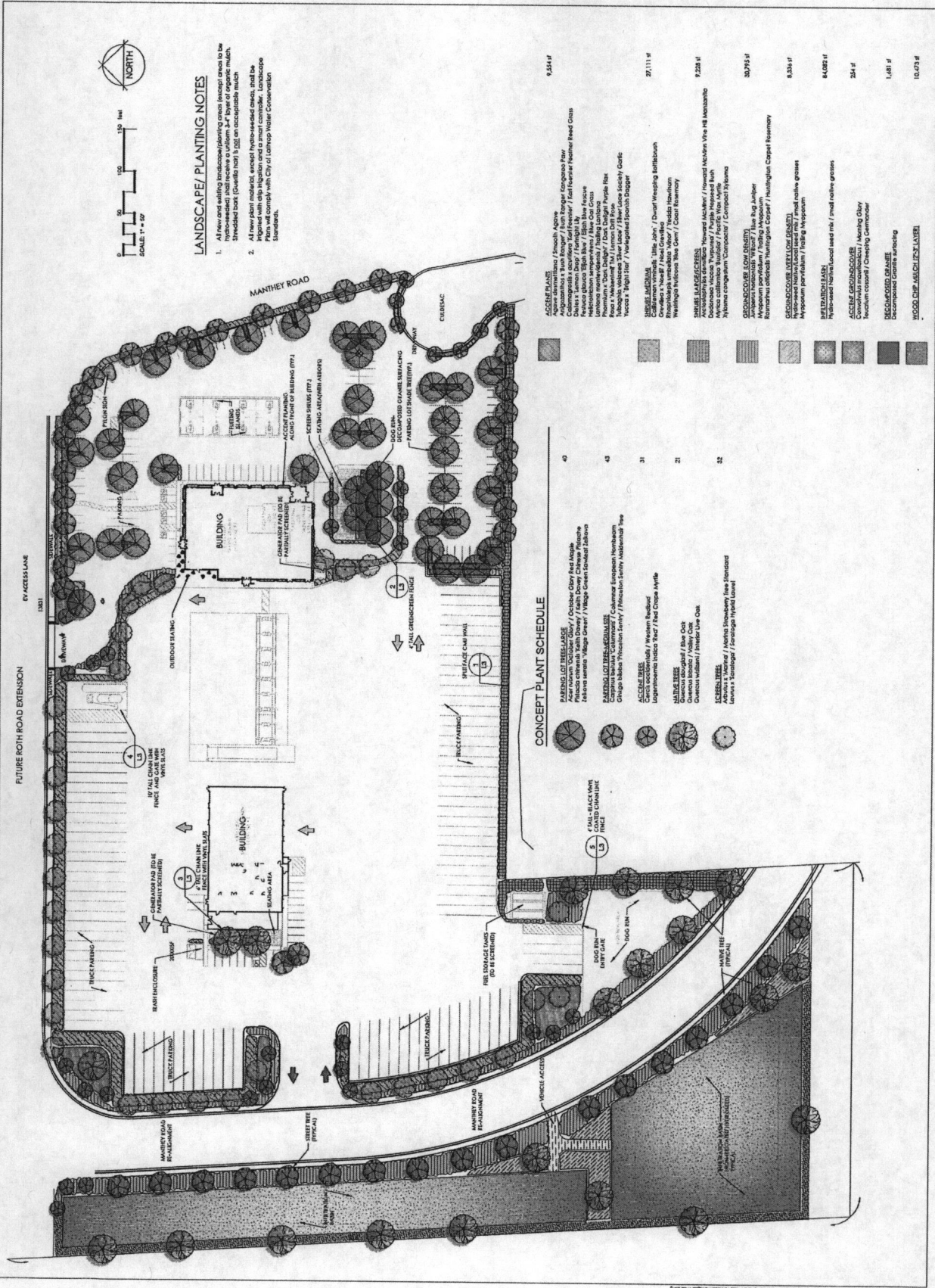
M. HIGDON/TAM ARCHITECT
 LICENSE NO. C-54671
MAA
 DESIGN SERVICES
 2000 VALLEY CENTER DRIVE
 SUITE 100
 CHICO, CALIFORNIA 95926
 TEL: 530.891.1100
 WWW.MAAARCHITECT.COM
 A PROJECT FOR:
 SHAWHUTCHER INVESTMENT INC.
 11293 SOUTH MANTHEY ROAD
 LATHROP, CA 95330



| | | | | | |
|------------------|----------|-------|------|-----|------|
| NO. DESCRIPTIONS | DATE | SCALE | DRWN | CRD | APPD |
| 1. PLANNING | 09/22/23 | | | | |
| 2. REVIEW SET | 09/22/23 | | | | |

11293 SOUTH MANTHEY ROAD
 LATHROP, CA
PHASE II
LANDSCAPE PLAN
OVERALL

L7



LANDSCAPE PLANTING NOTES

1. All new plantings and existing landscape areas to be removed shall be replaced with a minimum of 2" x 4" threaded bar (concrete) to be set in a acceptable trench. All new plantings shall be installed in a acceptable trench. All new plantings shall be installed in a acceptable trench.
2. All new plantings shall be installed in a acceptable trench. All new plantings shall be installed in a acceptable trench.

CONCEPT PLANT SCHEDULE

| NO. | DESCRIPTION | AMOUNT |
|-----|--------------------------------|----------|
| 1 | ACCENT TREES (SEE SCHEDULE) | 27,111 # |
| 2 | SCREENING TREES (SEE SCHEDULE) | 9,228 # |
| 3 | SCREENING TREES (SEE SCHEDULE) | 30,795 # |
| 4 | SCREENING TREES (SEE SCHEDULE) | 9,335 # |
| 5 | SCREENING TREES (SEE SCHEDULE) | 84,692 # |
| 6 | SCREENING TREES (SEE SCHEDULE) | 254 # |
| 7 | SCREENING TREES (SEE SCHEDULE) | 1,481 # |
| 8 | SCREENING TREES (SEE SCHEDULE) | 10,073 # |

NOTE: DRAWINGS ARE NOT TO SCALE IF SHEET IS PLOTTED ON 11" x 17"



Legend

- Project Site / Annexation Area
- Development Area
- Lathrop City Limits (Proposed)
- Lathrop Sphere of Influence
- Parcel Boundary

City of Lathrop General Plan Designation

- FC: Freeway Commercial
- LI: Limited Industrial

San Joaquin County General Plan Designation

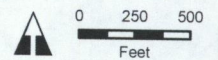
- Agriculture/General

City of Stockton General Plan Designation

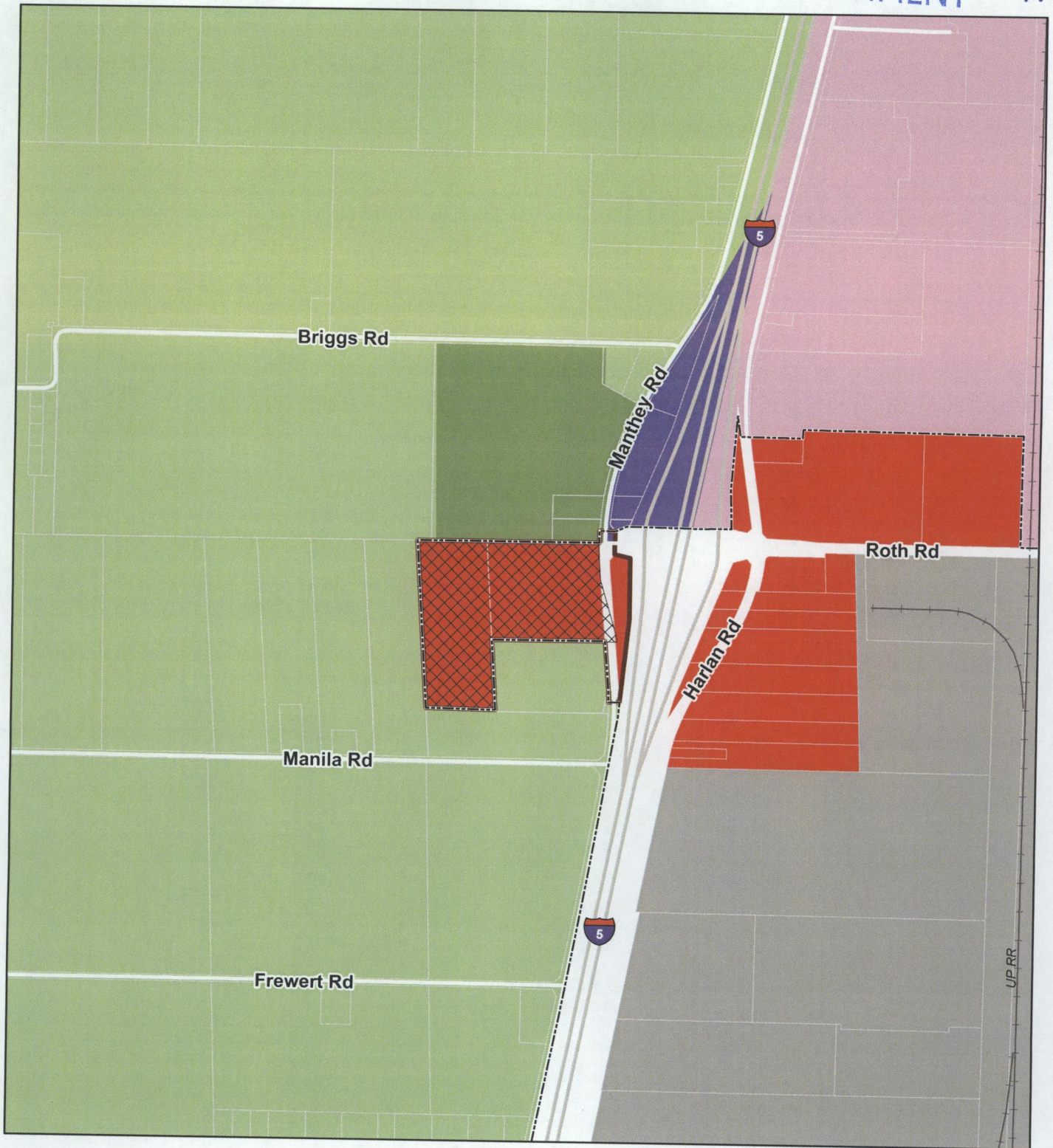
- Industrial

SINGH PETROLEUM INVESTMENTS PROJECT

Figure 2.0-9. Proposed General Plan Land Use Designations



Sources: San Joaquin County GIS; City of Stockton General Plan 2040; City of Lathrop General Plan 2022. Map date: December 14, 2022.



Legend

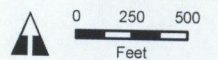
- Project Site/Annexation Area
- Development Area
- Lathrop City Limits (Proposed)
- City of Lathrop Zoning Designation**
- CH: Highway Commercial
- IL: Industrial Limited

San Joaquin County Zoning Designation

- AG-40: General Agriculture
- AU-20: Agriculture Urban Reserve
- I-G: General Industrial
- I-W: Warehouse Industrial

SINGH PETROLEUM INVESTMENTS PROJECT

Figure 2.0-10. Proposed Zoning Designations



Sources: San Joaquin County GIS. Map date: December 14, 2022

**DESCRIPTION OF PROPOSED
SINGH PETROLEUM INVESTMENTS INC.
ANNEXATION TO THE CITY OF LATHROP,
SAN JOAQUIN COUNTY, CALIFORNIA**

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA, BEING A PORTION OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWESTERLY CORNER OF PARCEL NO. 1 AS DESCRIBED IN THAT CERTAIN TRUST TRANSFER DEED TO LEX A. CORRALES AND MARILYN J. WONG-CORRALES, CO-TRUSTEES OF THE LEX A. CORRALES AND MARILYN J. WONG-CORRALES LIVING TRUST, RECORDED MARCH 16, 2004 AS DOCUMENT NO. 2004-052973, SAN JOAQUIN COUNTY RECORDS;

THENCE ALONG THE WESTERLY, SOUTHERLY & EASTERLY LINES OF SAID TRUST TRANSFER DEED TO THE FOLLOWING THREE (3) COURSES:

COURSE #1: SOUTH 4°06'00" EAST 1017.51 FEET,

COURSE #2: NORTH 89°23'00" EAST 422.33 FEET,

COURSE #3: NORTH 4°06'00" WEST 419.25 FEET

TO THE SOUTHWESTERLY CORNER OF PARCEL OF LAND, AS DESCRIBED IN THAT CERTAIN GRANT DEED TO SINGH PETROLEUM INVESTMENTS INC., RECORDED MAY 17, 2019 AS DOCUMENT INSTRUMENT NO. 2019-050576, SAN JOAQUIN COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY LINE OF SAID GRANT DEED,

COURSE #4: NORTH 89°51'00" EAST 696.09 FEET

TO THE WESTERLY RIGHT OF WAY LINE OF MANTHEY ROAD (60 FEET IN WIDTH);

THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD TO THE FOLLOWING TWO (2) COURSES:

COURSE #5: SOUTH 6°03'35" EAST 224.51 FEET,

COURSE #6: ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1970.00 FEET, THROUGH A CENTRAL ANGLE OF 4°05'00", THE LONG CHORD OF WHICH BEARS SOUTH 4° 01' 07" EAST 140.37 FEET, AND AN ARC LENGTH OF 140.40 FEET;

THENCE LEAVING WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD,

COURSE #7: NORTH 88°01'23" EAST 65.16 FEET

TO THE EASTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD AND A POINT ON THE LATHROP CITY LIMIT LINE ESTABLISHED BY LATHROP INCORPORATION/REORGANIZATION, LAFC 19.88, RECORDED IN INSTRUMENT NO. 89055167, SAN JOAQUIN COUNTY RECORDS;

THENCE ALONG SAID CITY LIMIT LINE TO THE FOLLOWING FOUR (4) COURSES:

COURSE #8: NORTH 5°01'22" EAST 503.05 FEET,

COURSE #9: NORTH 1°07'51" EAST 374.30 FEET,

COURSE #10: NORTH 78°43'38" WEST 97.08 FEET,

COURSE #11: NORTH 0°33'09" WEST 140.00 FEET;

THENCE LEAVING SAID CITY LIMIT LINE,

COURSE #12: NORTH 88°18'22" WEST 93.75 FEET

TO THE WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD;

THENCE ALONG THE WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD,

COURSE #13: ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1830.00 FEET, THROUGH A CENTRAL ANGLE OF 2°18'38", THE LONG CHORD OF WHICH BEARS SOUTH 0°32'19" WEST 73.79 FEET, AND AN ARC LENGTH OF 73.80 FEET;

THENCE LEAVING WESTERLY RIGHT OF WAY LINE OF SAID MANTHEY ROAD AND ALONG THE NORTHERLY LINES OF SAID GRANT DEED AND SAID TRUST TRANSFER DEED,

COURSE #14: SOUTH 89°23'00" WEST 1105.59 FEET **TO THE POINT OF BEGINNING.**

CONTAINING 22.42 ACRES, MORE OR LESS

END OF DESCRIPTION

PREPARED BY:

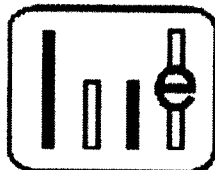


Zachary C. Wong

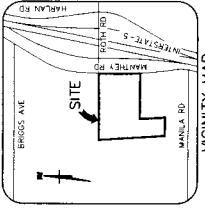
ZACHARY C. WONG
LICENSED PROFESSIONAL LAND SURVEYOR No. 7600
(EX. DECEMBER 31, 2024)
STATE OF CALIFORNIA

11-7-2022

DATE

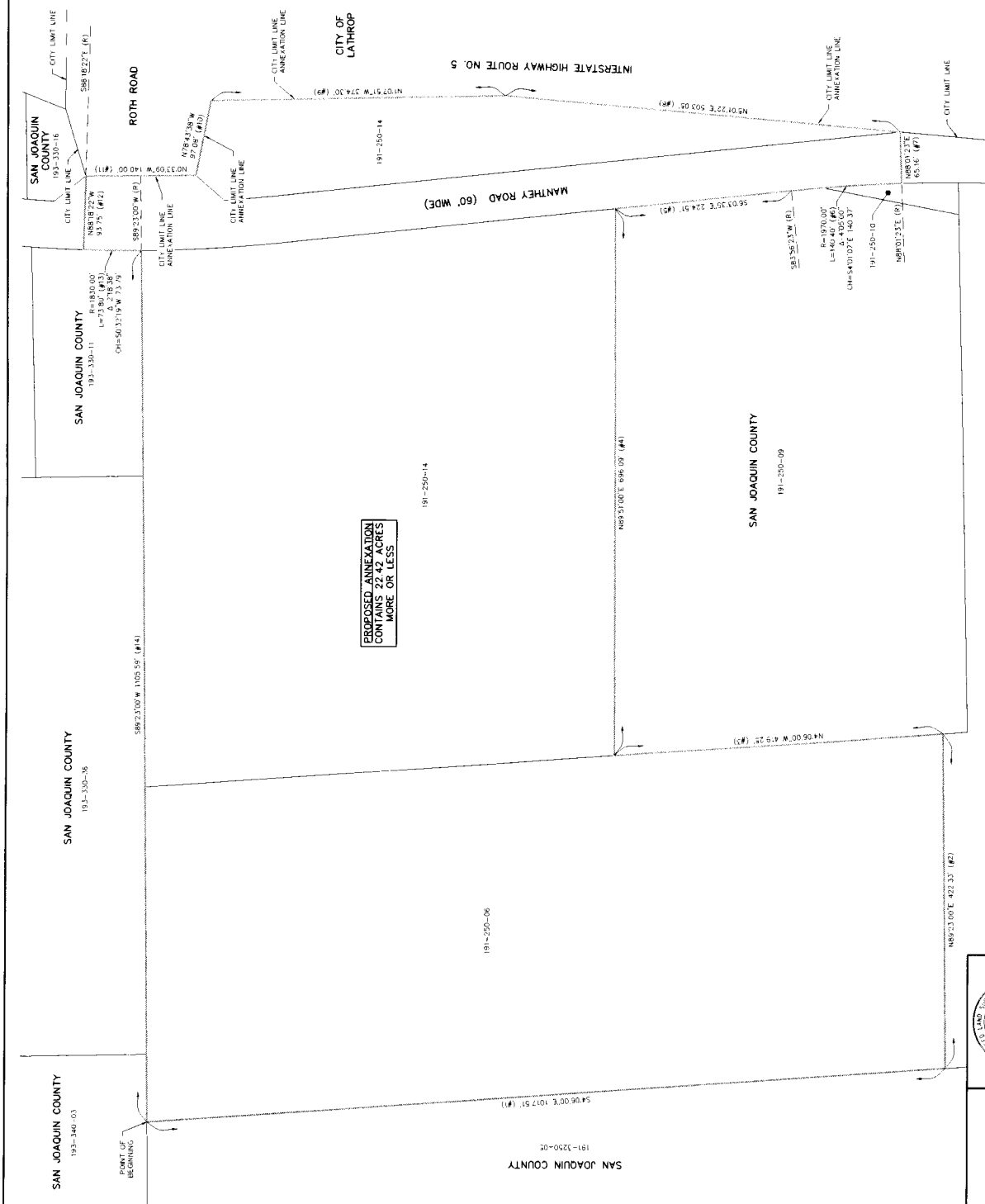


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Phone (209) 476-0011

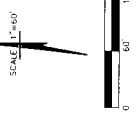
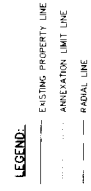


MAP FOR SINGH PETROLEUM INVESTMENTS INC. ANNEXATION TO THE CITY OF LATHROP, SAN JOAQUIN COUNTY, CALIFORNIA

BEING A PORTION OF SECTION 14, TOWNSHIP 1, SOUTH, RANGE 6 EAST, MOUNT DIABLO BASE AND MERIDIAN, SAN JOAQUIN COUNTY, CALIFORNIA
NOVEMBER 7, 2022



PROPOSED ANNEXATION CONTAINS 22.42 ACRES MORE OR LESS



| | | | | | |
|--|---|---|----------------------------------|--|--------------------------------------|
| | UNAUTHORIZED CHANGES AND USES: THIS PLAN IS THE PROPERTY OF WONG ENGINEERS, INC. ANY UNAUTHORIZED CHANGES TO THE ANNEXATION PLAN MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPAREER OF THIS PLAN. | NO. DESCRIPTION DATE BY | REVISIONS | SB NO. 4038 DATE: NOV. 2022 SCALE: AS SHOWN DRAWN: NS DESKTOP: JCV CHECKED: ZCW | SHEET 1 OF ONE FILE 4038 |
| | WONG ENGINEERS, INC. 4528 TRAILER PARK DRIVE STOCKTON, CALIFORNIA (209) 496-0011 <i>Gregory C. Voge</i> | 11783 S MANTHEY ROAD & 109 MANILA ROAD ANNEXATION PLAT | SAN JOAQUIN COUNTY 193-340-03 | SAN JOAQUIN COUNTY 193-330-35 | SAN JOAQUIN COUNTY 193-330-11 |

Attachment 13

Singh Petroleum Project

GPA-20-60, REZ-20-61, CUP-20-62, SPR-20-63, and ANX-20-64

Final Environmental Impact Report, prepared by De Novo Planning Group, dated May, 2024

Due to the size of this document, it has not been reproduced in the staff report. A copy of the Final Environmental Impact Report is available for viewing and download on the City's website at <https://www.ci.lathrop.ca.us/com-dev/page/public-review-documents>

Individuals that are unable to access the Environmental Checklist at the website listed above or would require a computer disk or thumb drive containing a copy of the document should contact Planning Staff at planning@ci.lathrop.ca.us or (209) 941-7290 to obtain a copy.

Attachment 14

Singh Petroleum Project

GPA-20-60, REZ-20-61, CUP-20-62, SPR-20-63, and ANX-20-64

Draft Environmental Impact Report, prepared by De Novo Planning Group, dated February, 2024

Due to the size of this document, it has not been reproduced in the staff report. A copy of the Draft Environmental Impact Report is available for viewing and download on the City's website at <https://www.ci.lathrop.ca.us/com-dev/page/public-review-documents>

Individuals that are unable to access the Environmental Checklist at the website listed above or would require a computer disk or thumb drive containing a copy of the document should contact Planning Staff at planning@ci.lathrop.ca.us or (209) 941-7290 to obtain a copy.

FINDINGS OF FACT / STATEMENT OF
OVERRIDING CONSIDERATIONS

FOR THE

SINGH PETROLEUM INVESTMENTS
(SCH: 2022120596)

MAY 2024

Prepared for:

City of Lathrop
Community Development Department
390 Towne Centre Drive
Lathrop, CA 95330

Prepared by:

De Novo Planning Group
1020 Suncoast Lane, Suite 106
El Dorado Hills, CA 95762
(916) 580-9818

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm

FINDINGS OF FACT / STATEMENT OF OVERRIDING CONSIDERATIONS

FOR THE

SINGH PETROLEUM INVESTMENTS

(SCH: 2022120596)

MAY 2024

Prepared for:

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FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

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FINDINGS FOR THE SINGH PETROLEUM INVESTMENTS

REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code, § 21000 et seq.)

I. INTRODUCTION

The California Environmental Quality Act (CEQA) (Public Resources Code, § 21000 et seq.) requires the City of Lathrop (City), as the CEQA lead agency, to: 1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR. (Pub. Resources Code, § 21081.)

This document explains the City's findings regarding the significant and potentially significant impacts identified in the environmental impact report (EIR) prepared for the Singh Petroleum Investments Project (project or Project) and the City decision-makers' ultimate determinations of the feasibility of the project alternatives considered in the EIR. The statement of overriding considerations in Section VII, below, identifies the economic, social, technical, and other benefits of the Project that the City decision-makers have determined should override any significant environmental impacts that would result from the Project.

As required under CEQA, the Final EIR describes the Project, adverse environmental impacts of the Project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the EIR reflect the City's independent judgment.

The Final EIR (which includes the Draft EIR, comments, responses to comments, and revisions to the Draft EIR) for the Project, examined the proposed Project and four alternatives to the Project including: (1) No Project (No Build) Alternative; (2) Reduced Project Size and Intensity Alternative; (3) Revised Circulation Alternative; and (4) Phase II Only Alternative.

The Findings and Statement of Overriding Considerations are presented for adoption by the City Council, as the City's findings under CEQA and the CEQA Guidelines (Cal. Code Regs., title 14, § 15000 et seq.) relating to the Project. The Findings provide the written analysis, substantial evidence, and conclusions of this City Council regarding the Project's environmental impacts, mitigation measures, and alternatives to the Project, as well as the overriding considerations, which in this City Council's view, justify approval of the Project, despite its environmental effects.

II. GENERAL FINDINGS AND OVERVIEW

Project Overview

The Project site includes two distinct planning boundaries defined below. The following terms are used throughout this Initial Study to describe the planning boundaries within the Project site:

- **Project Site (or Annexation Area)** – totals 22.42 acres and includes the whole of the Project, including the proposed 19.63-acre Development Area, and 2.79 acres of land along Roth Road and Manthey Road.
- **Development Area** – totals 19.63 acres and is intended for the development of a travel center and associated circulation and parking improvements over two phases.

The proposed Project site is located on Assessor's Parcel Numbers (APNs) 191-250-14 and 191-250-06, located in the northern portion of the City of Lathrop. The proposed Project is located west of Interstate 5 (I-5) and is bordered by Manthey Road and the future extension of Roth Road.

The Project site is comprised of flat land with ruderal grasses, fallow ground, a few trees (located primarily along the northern and eastern boundary of the Project site), an abandoned structure, and impervious area. The footprint of the abandoned structure is approximately 1,430 square feet (sf) and the impervious area is approximately 2,500 sf. The Project site is bordered by San Joaquin County land to the north, west, and south, while the Project site borders land located within the current boundaries of the City of Lathrop to the east. The Project site is primarily bounded by undeveloped and residential land to the south, undeveloped land to the west, and agricultural and residential land to the north.

Implementation of the Project would involve the development of fueling facilities, traveler amenities, and parking facilities for passing motorists and commercial truck operators. The Phase I site plan for the proposed Project is shown in Figure 2.0-7 and the Phase II site plan for the proposed Project is shown in Figure 2.0-8.

The proposed Project includes the following amenities:

- Fueling facilities offering 8 truck fuel islands and 8 car fuel islands;
 - Fuel tanks for both trucks and auto will be above ground with chain link fencing with privacy slats around the tanks.
- 246 truck/trailer spaces, 351 passenger vehicle spaces, 4 fueling and gas/diesel spaces, 18 electric vehicle spaces; and 16 ADA spaces;
- A 13,875-sf full service 4 bay truck repair shop;
- A 16,499-sf building that will include the following:
 - Office space;
 - Restroom facilities, 8 showers;
 - Laundry facility with 12 sets of washer/dryer;

- Retail convenience store that will offer everyday products from truck accessories, toiletry supplies and a number of products for quick shopping needs for traveling and commuter customer base;
- Dog run area enclosed with a metal fence
- Two (2) quick service restaurants, one with a drive-thru option.
- Seating area for patrons to dine.

Phase I of the Project will develop 18.61 acres out of the 19.63-acre Development Area. The Phase I area is designed as an interim basis until the future realignment of Manthey Road, future Roth Road, and interchange improvements for I-5 will be constructed. Phase I will account for the future right-of-way (ROW) dedication for these improvements. The 2.79-acre piece of property between Manthey Road and I-5 will not be part of the Phase I Project site and is identified as future ROW for future interchange improvements.

Phase II of the Project includes: (1) the realignment of Manthey Road from the existing configuration to run along the western boundary of the Project site with a new connection to Roth Road, (2) improvement of Roth Road to the north of the Project site, and (3) improvements of the interchange for I-5. No new buildings are proposed as part of the Phase II development. Portions of Phase I site and circulation-related improvements will be removed which will allow the future improvements to be constructed. Additional parking will also be added for the auto portion of the development to incorporate the abandonment of the old Manthey Road.

The principal objective of the proposed Project is the approval of the proposed Project that includes development of the 19.63-acre Development Area for regional travel serving uses.

Refer to EIR Chapter 2.0, Project Description, for a more complete description of the details of the proposed Project.

PROCEDURAL BACKGROUND

Notice of Preparation Public Circulation: The City of Lathrop circulated an Initial Study (IS) and Notice of Preparation (NOP) of an EIR for the proposed Project on December 22, 2022 to the State Clearinghouse, State Responsible Agencies, State Trustee Agencies, Other Public Agencies, and Organizations and Interested Persons. A public scoping meeting was held on January 11, 2023 to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Concerns raised in response to the NOP were considered during preparation of the Draft EIR. The IS, NOP, and comments received on the NOP by interested parties are presented in Appendix A of the Draft EIR. The commenters are provided below.

- California Department of Transportation
- Central Valley Regional Water Quality Control Board
- San Joaquin Council of Governments
- San Joaquin Valley Air Pollution Control District
- State of California Native American Heritage Commission

CEQA FINDINGS

Notice of Availability and Draft EIR: The City published a public Notice of Availability (NOA) for the Draft EIR on February 7, 2024 inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2022120596) and the County Clerk, and was published in a local newspaper pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review and comment from February 7, 2024 through March 25, 2024.

The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less-than-significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

Final EIR: During the Draft EIR comment period, the City received seven comment letters regarding the Draft EIR from public agencies and other parties. In accordance with CEQA Guidelines Section 15088, the Final EIR responds to the comments received during the public review periods for the Draft EIR. The Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0, Errata.

The comments received did not provide evidence of any new significant impacts or “significant new information” that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

RECORD OF PROCEEDINGS AND CUSTODIAN OF RECORD

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City’s findings and determinations consists of the following documents and testimony, at a minimum:

- The NOP, comments received on the NOP, and all other public notices issued by the City in relation to the Project (e.g., NOA).
- The Draft EIR, and Final EIR, including comment letters, and technical materials cited in the documents.
- All non-draft and/or non-confidential reports and memoranda prepared by the City and consultants in relation to the EIR.
- Minutes and transcripts of the discussions regarding the Project and/or Project components at public hearings held by the City.
- Staff reports associated with City Council meetings on the Project.
- Those categories of materials identified in Public Resources Code § 21167.6(e).

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of Lathrop, Community Development Department, 390 Towne Centre Drive, Lathrop, CA 95330 or online at:

<https://www.ci.lathrop.ca.us>

FINDINGS REQUIRED UNDER CEQA

Public Resources Code § 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” Further, the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” (*Id.*) Section 21002 also provides that “in the event specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles established by the Legislature in Public Resources Code § 21002 are implemented, in part, through the requirement in Public Resources Code § 21081 that agencies must adopt findings before approving projects for which an EIR is required.

CEQA Guidelines § 15091 provides the following direction regarding findings:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

(See also Public Resources Code, § 21081, subd. (a)(1)-(3).)

As defined by CEQA, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors. (Pub. Resources Code, § 21061.1; see also CEQA Guidelines, § 15126.6(f)(1) [determining the feasibility of alternatives].) The concept of “feasibility” also encompasses the

CEQA FINDINGS

question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (See *Association of Irrigated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1400 [court upholds findings rejecting a “reduced herd” alternative to a proposed dairy as infeasible because the alternative failed to meet the “fundamental objective” of the project to produce milk]; *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1508 [agency decision-makers, in rejecting alternatives as infeasible, appropriately relied on project objective articulated by project applicant].) Moreover, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417; see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001-1002.)

With respect to a project for which significant impacts cannot be feasibly avoided or substantially lessened, a public agency may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons that the project’s benefits outweigh its significant unavoidable adverse environmental effects. (Pub. Resources Code, §§ 21001, 21002.1(c), 21081(b).)

CEQA Guidelines § 15093 provides the following direction regarding a statement of overriding considerations:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to § 15091.

MITIGATION MONITORING PROGRAM

A Mitigation Monitoring Program has been prepared for the Project and, if the Project is approved, will be adopted concurrently with these Findings. (See Pub. Resources Code, § 21081.6, subd. (a)(1).)

The City will use the Mitigation Monitoring Program to track compliance with Project mitigation measures.

CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

In adopting these Findings, this City Council finds that the Final EIR was presented to this City Council, the decision-making body of the lead agency, which reviewed and considered the information in the Final EIR prior to approving the Project. By these findings, this City Council ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final EIR. The City Council finds that the Final EIR was completed in compliance with CEQA. The Final EIR represents the independent judgment of the City.

SEVERABILITY

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court to be invalid, void, or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

A. AIR QUALITY

1. IMPACT 3.3-1: PROJECT OPERATION COULD CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE DISTRICT'S AIR QUALITY PLAN.

(a) Potential Impact. The potential for the Project to conflict with or obstruct implementation of the District's air quality plan is discussed on page 3.3-35 and 3.3-36 of the Draft EIR.

(b) Mitigation Measures. None feasible.

(c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

(1) Remaining Impacts. The San Joaquin Council of Governments (SJCOG) Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS) growth projections provide for future employment/population factors. The development of the San Joaquin Valley Air Pollution Control District (SJVAPCD) Air Quality Attainment Plan (AQAP) is based in part on the land use general plan projections of the various cities and counties that constitute the Air Basin. The proposed Project would require a General Plan Amendment to the City's Land Use Map to change land uses on the Project site. Changes to the Land Use Map would include changing the General land use designation for APN 191-250-06 from Agriculture/General (A/G) (County) to Freeway Commercial (FC) (City). However, most of the Project site

CEQA FINDINGS

is already designated as FC, which the Project would be consistent with. Therefore, the proposed Project, which involves the development of regional travel serving uses, is consistent with the majority of the Project site's existing General Plan land use designation and therefore most of its traffic would be included in volumes projected for analysis of the General Plan. Overall, the proposed Project is not anticipated to conflict with or obstruct implementation of the AQAP. However, since a portion of the Project would require a General Plan land use amendment for a portion of the Project site, out of an abundance of caution, this impact is considered to be significant and unavoidable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with impacts to air quality, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

2. IMPACT 3.3-3: THE PROPOSED PROJECT COULD EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS.

- (a) Potential Impact. The potential for the Project to expose sensitive receptors to substantial pollutant concentrations is discussed on pages 3.3-43 through 3.3-32 of the Draft EIR and determined to be significant.
- (b) Mitigation Measures. None feasible.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:
 - (1) Remaining Impacts. The proposed Project, in and of itself, could not result in a significant increased exposure of receptors to localized concentrations of TACs for the residential located at 11401 Manthey Road. Further detail is provided in the Health Risk Assessment provided in Appendix A.3 of the Draft EIR. Given the Project's estimated 0.74 tons per year of particulate matter (PM that has a diameter of less than 2.5 micrometers (PM_{2.5})) (see Table 3.3-11 in Section 3.3 of the Draft EIR), the total PM_{0.1} generated by the Project is estimated to be approximately 0.08 tons per year (163 pounds [lbs]/year). This is equivalent to 0.45 lbs/day of PM_{0.1}. While there is not specifically a quantitative threshold of significance established by the SJVAPCD for PM_{0.1}, the quantity estimated is considered small relative to thresholds established for other particulate matter. From an incremental health

perspective, this level of ultrafine particulates (UFPs) generated by the Project would not be substantial. As such, the Project would not result in substantial UFP emissions that may affect nearby receptors. Nevertheless, toxic air contaminants (TACs) generated by the proposed Project would exceed the applicable residential cancer risk. This impact is significant and unavoidable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with impacts to air quality, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

3. IMPACT 4.5: CUMULATIVE IMPACT ON THE REGION'S AIR QUALITY.

- (a) Potential Impact. The potential for the Project to have a cumulative impact on the region's air quality is discussed on pages 4.0-9 and 4.0-10 of the Draft EIR.
- (b) Mitigation Measures. None feasible.
- (c) Findings. Based upon the EIR and the entire record before this City Council, this City Council finds that:

- (1) Remaining Impacts. Under buildout conditions in the San Joaquin County, the San Joaquin Valley Air Basin (SJVAB) would continue to experience increases in criteria pollutants and efforts to improve air quality throughout the basin would be hindered. As described in Section 3.3, San Joaquin County has a national designation of either Unclassified or Attainment for all criteria pollutants except for Ozone and PM_{2.5}. Table 3.3-2 in Section 3.3 presents the State and Federal attainment status for San Joaquin County.

As noted in Section 3.3, Air Quality, the maximum residential cancer risk would occur at a residence located at 11401 Manthey Road, located directly adjacent to the Project site to the south, would have a residential cancer risk of approximately 28.6 per million. The maximum workplace cancer risk would occur within the central portion of the Project site, located around the gasoline pumps. The maximum workplace cancer risk would occur at the central portion of the Project site, around the gasoline fueling station, with a maximum risk of up approximately 5.9 per million (at the location of maximum workplace cancer risk). Although the workplace cancer risk would be below the applicable SJVAPCD threshold, the residential cancer risk would be above this threshold. As shown in Table 3.3-15 in Section 3.3, the

proposed Project, in and of itself, could not result in a significant increased exposure of receptors to localized concentrations of TACs for the residential located at 11401 Manthey Road. Further detail is provided in the Health Risk Assessment provided in Appendix A.3. Therefore, implementation of the proposed Project is considered to have the potential to cause a significant and unavoidable impact relative to this topic. The Project's contribution to this significant impact would be cumulatively considerable.

- (2) Changes or alterations have been required in, or incorporated into, the proposed project that avoid or substantially lessen the significant environmental effect, as identified in the Final EIR. To the extent that this significant adverse impact will not be substantially lessened or avoided, the City Council finds that specific economic, social, policy-based, and other considerations identified in the Statement of Overriding Considerations support approval of the project.
- (3) Overriding Considerations. The environmental, economic, social and other benefits of the Project override any remaining significant adverse impact of the Project associated with cumulative impacts to the region's air quality, as more fully stated in the Statement of Overriding Considerations in Section VII, below.

IV. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT IMPACTS WHICH ARE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL

A. BIOLOGICAL RESOURCES

1. IMPACT 3.4-1: THE PROPOSED PROJECT WOULD NOT HAVE A SUBSTANTIAL DIRECT OR INDIRECT EFFECT ON SPECIAL-STATUS INVERTEBRATE SPECIES, INCLUDING THROUGH SUBSTANTIAL REDUCTION OF HABITAT, SUBSTANTIAL REDUCTION OF THE NUMBER OR RESTRICTION IN THE RANGE OF A LISTED SPECIES, ELIMINATION OF AN ANIMAL COMMUNITY, OR A DROP IN POPULATION LEVELS BELOW SELF-SUSTAINING LEVELS.
 - (a) Potential Impact. The potential for the Project to have direct or indirect effects on special-status invertebrate species is discussed on page 3.4-31 through 3.4-34 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-1.
 - (c) Findings. Special-status invertebrates that occur within the 9-quad region (which includes the following U.S. Geological Survey (USGS) quadrangles: Lathrop, Holt, Stockton West, Stockton East, Union Island, Manteca, Tracy, Vernalis, and Ripon) for the Project site include: California linderiella (*Linderiella occidentalis*), crotch bumble bee (*Bombus crotchii*), conservancy fairy shrimp (*Branchinecta conservancy*), molestan

blister beetle (*Lytta molesta*), Sacramento anthicid beetle (*Anthicus sacramento*), San Joaquin Valley giant flower-loving fly (*Rhaphiomidas trochilus*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardi*), western ridged mussel (*Gonidea angulate*), and western bumble bee (*Bombus occidentalis*). As noted in Table 3.4-2 in Section 3.4, five of these are covered species under the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP).

Habitat for California California linderiella (*Linderiella occidentalis*), conservancy fairy shrimp (*Branchinecta conservation*), molestan blister beetle (*Lytta molesta*), Sacramento anthicid beetle (*Anthicus sacramento*), San Joaquin Valley giant flower-loving fly (*Rhaphiomidas trochilus*), valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardi*), western ridged mussel (*Gonidea angulate*), and western bumble bee (*Bombus occidentalis*) is not found on-site.

Potential habitat for crotch bumble bee (*Bombus crotchii*) is found on-site. This species is not covered under the SJMSCP. Mitigation Measure 3.4-1 requires preconstruction survey for special-status bumble bees and avoidance and mitigation measures should bumble bees be found. Therefore, with this mitigation, the proposed Project would have a less than significant impact on special status invertebrate species.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.4-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to have direct or indirect effects on special-status invertebrate species will be mitigated to a less than significant level.

2. **IMPACT 3.4-2: THE PROPOSED PROJECT HAS THE POTENTIAL TO HAVE SUBSTANTIAL DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS REPTILE AND AMPHIBIAN SPECIES, INCLUDING THROUGH SUBSTANTIAL REDUCTION OF HABITAT, SUBSTANTIAL REDUCTION OF THE NUMBER OR RESTRICTION IN THE RANGE OF A LISTED SPECIES, ELIMINATION OF A REPTILE OR AMPHIBIAN COMMUNITY, OR A DROP IN POPULATION LEVELS BELOW SELF-SUSTAINING LEVELS.**
 - (a) **Potential Impact.** The potential for the Project to have direct or indirect effects on special-status amphibian and reptile species is discussed on pages 3.4-34 through 3.4-38 of the Draft EIR.
 - (b) **Mitigation Measures.** The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-2.
 - (c) **Findings.** Special-status amphibians and reptiles that occur within the 9-quad region for the Project site according to the CNDDDB include: California glossy snake (*Arizona elegans*

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occidentalis), western pond turtle (*Emys marmorata*), San Joaquin coachwhip (*Masticophis flagellum ruddocki*), giant gartersnake (*Thamnophis gigas*), coast horned lizard (*Phrynosoma blainvillii*), California tiger salamander (*Ambystoma californiense* [*A. tigrinum c.*]), foothill yellow-legged frog (*Rana boylei*), California red-legged frog (*Rana aurora draytoni*), and western spadefoot (*Spea hammondi*). As noted in Table 3.4-3, all of the amphibians are covered species under the SJMSCP. Three of the five reptiles are covered species under the SJMSCP.

While there is a very low potential for amphibians and reptiles to occur on-site. It is anticipated that any impacts to special-status amphibians and reptiles would be less than significant through compliance with Mitigation Measure 3.4-2, which requires the Project proponent to obtain coverage under the SJMSCP to mitigate for habitat impacts to covered special status species.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.4-2 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to have direct or indirect effects on special-status amphibian and reptile species will be mitigated to a less than significant level.

3. IMPACT 3.4-3: THE PROPOSED PROJECT HAS THE POTENTIAL TO HAVE SUBSTANTIAL DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS BIRD SPECIES, INCLUDING THROUGH SUBSTANTIAL REDUCTION OF HABITAT, SUBSTANTIAL REDUCTION OF THE NUMBER OR RESTRICTION IN THE RANGE OF A LISTED SPECIES, ELIMINATION OF A BIRD COMMUNITY, OR A DROP IN POPULATION LEVELS BELOW SELF-SUSTAINING LEVELS.
 - (a) Potential Impact. The potential for the Project to have direct or indirect effects on special-status bird species is discussed on page 3.4-39 through 3.4-43 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-2.
 - (c) Findings. Special-status birds that occur within the 9-quad region for the Project site according to the CNDDDB include: cackling (=Aleutian Canada) goose (*Branta hutchinsii leucopareia*), California black rail (*Laterallus jamaicensis coturniculus*), tricolored blackbird (*Agelaius tricolor*), burrowing owl (*Athene cunicularia*), Swainson's hawk (*Buteo swainsoni*), white-tailed kite (*Elanus leucurus*), California horned lark (*Eremophila alpestris actia*), yellow-headed blackbird (*Xanthocephalus xanthocephalus*), loggerhead shrike (*Lanius ludovicianus*), merlin (*Falco columbarius*), song sparrow ("Modesto" population) (*Melospiza melodia*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), and least Bell's vireo (*Vireo bellii pusillus*). As noted in Table 3.4-2, all but one of these bird species (least Bell's vireo) are covered species under the SJMSCP.

The Project area may provide suitable foraging habitat for a variety of potentially occurring special-status birds, including those listed above. Potential nesting habitat is present in a variety of trees located within the Project site and in the vicinity. There is also the potential for other special-status birds that do not nest in this region and represent migrants or winter visitants to forage in the Project site.

New sources of noise and light during the construction and operational phases of the Project could adversely affect nesters if they are located adjacent to the Project site in any given year. Additionally, the proposed Project would eliminate the agricultural areas on the Project site, which serve as potential foraging habitat for birds throughout the year. Mitigation Measure 3.4-2 requires participation in the SJMSCP. As part of the SJMSCP, SJCOG requires preconstruction surveys for projects that occur during the avian breeding season (March 1 – August 31). When active nests are identified, the biologists develop buffer zones around the active nests as deemed appropriate until the young have fledged. SJCOG also uses the fees to purchase habitat as compensation for the loss of foraging habitat.

Implementation of the proposed Project, with the Mitigation Measure 3.4-2, would ensure that potential impacts to special status birds are reduced to a less than significant level.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.4-2 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to have direct or indirect effects on special-status bird species will be mitigated to a less than significant level.

4. **IMPACT 3.4-4: THE PROPOSED PROJECT HAS THE POTENTIAL FOR SUBSTANTIAL DIRECT OR INDIRECT EFFECTS ON SPECIAL-STATUS MAMMAL SPECIES, INCLUDING THROUGH SUBSTANTIAL REDUCTION OF HABITAT, SUBSTANTIAL REDUCTION OF THE NUMBER OR RESTRICTION OF THE RANGE OF A LISTED SPECIES, ELIMINATION OF A MAMMAL COMMUNITY, OR A DROP IN POPULATION LEVELS BELOW SELF-SUSTAINING LEVELS.**
 - (a) **Potential Impact.** The potential for the Project to have direct or indirect effects on special-status mammal species is discussed on page 3.4-43 through 3.4-45 of the Draft EIR.
 - (b) **Mitigation Measures.** The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-2.
 - (c) **Findings.** Special-status mammals that occur within the 9-quad region for the Project site according to the CNDDDB include: pallid bat (*Antrozous pallidus*), riparian (=San Joaquin Valley) woodrat (*Neotoma fuscipes riparia*), Townsend's big-eared bat

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(*Corynorhinus townsendii*), western mastiff bat (*Eumops perotis californicus*), San Joaquin pocket mouse (*Perognathus inornatus*), riparian brush rabbit (*Sylvilagus bachmani riparius*), American badger (*Taxidea taxus*), and San Joaquin kit fox (*Vulpes macrotis mutica*). As noted in Table 3.4-2, all but one of these mammal species (pallid bat) are covered species under the SJMSCP.

While there is low potential for San Joaquin pocket mouse, San Joaquin kit fox, American badger, and some special-status bat species to occur on-site, it is anticipated that any impacts to these species would be less than significant through compliance with Mitigation Measure 3.4-2, which requires the Project proponent to obtain coverage under the SJMSCP to mitigate for habitat impacts to covered special status species.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.4-2 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to have direct or indirect effects on special-status mammal species will be mitigated to a less than significant level.

5. IMPACT 3.4-10: THE PROPOSED PROJECT HAS THE POTENTIAL TO CONFLICT WITH AN ADOPTED HABITAT CONSERVATION PLAN.

- (a) Potential Impact. The potential for the Project to conflict with an adopted Habitat Conservation Plan is discussed on page 3.4-48 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.4-2.
- (c) Findings. The proposed Project is subject to the SJMSCP. The proposed Project does not conflict with the SJMSCP. Mitigation Measure 3.4-2 requires participation in the SJMSCP. Therefore, with this mitigation, the proposed Project would have a less than significant impact relative to this topic.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.4-2 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to conflict with an adopted Habitat Conservation Plan will be mitigated to a less than significant level.

B. CULTURAL AND TRIBAL RESOURCES

1. **IMPACT 3.5-1: PROJECT IMPLEMENTATION HAS THE POTENTIAL TO CAUSE A SUBSTANTIAL ADVERSE CHANGE TO A SIGNIFICANT HISTORICAL OR ARCHAEOLOGICAL RESOURCE, AS DEFINED IN CEQA GUIDELINES §15064.5.**

- (a) **Potential Impact.** The potential for the Project to cause a substantial adverse change to a significant historical or archaeological resource, as defined in CEQA Guidelines §15064.5, is discussed on pages 3.5-14 through 3.5-17 of the Draft EIR.
- (b) **Mitigation Measures.** The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.5-1.
- (c) **Findings.** A California Historic Resources Information System (CHRIS) search was requested from the Central California Information Center (CCIC), which included the Project area and a one-half mile radius (CCIC File #11495L). According to the CCIC CHRIS results, the Project site has never been surveyed. There are no cultural or archaeological resources recorded in or near the Project site or search radius. However, one historic site remnant was found and recorded as ML-20-06 (described below) in a 2021 field survey effort.

While the CCIC records search found nothing documented on-site that could be considered a “historical resource” under Section 15064.5 in the CEQA Guidelines, as with most projects in the region, there is also the potential for discovery of previously unknown historical resources or archaeological resources during ground disturbing activities. For the above-stated reasons, the Project will be required to implement Mitigation Measure 3.5-1, which requires construction work to be halted and if any historical resources, cultural resources, including prehistoric or historic artifacts, or other indications of archaeological resources, are found during grading and construction activities during any phase of the Project. The find would then be evaluated. The implementation of Mitigation Measure 3.5-1 would ensure that this potential impact is reduced to a less than significant level.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.5-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to cause a substantial adverse change to a significant historical resource will be mitigated to a less than significant level.

2. **IMPACT 3.5-2: PROJECT IMPLEMENTATION HAS THE POTENTIAL TO DISTURB HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES.**

- (a) **Potential Impact.** The potential for the Project to disturb human remains, including those interred outside of formal cemeteries is discussed on page 3.5-17 of the Draft EIR.

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(b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.5-1.

(c) Findings. Indications suggest that humans have occupied San Joaquin County for over 10,000 years and it is not always possible to predict where human remains may occur outside of formal burials. Therefore, excavation and construction activities, regardless of depth, may yield human remains that may not be interred in marked, formal burials. Under CEQA, human remains are protected under the definition of archaeological materials as being “any evidence of human activity.” Additionally, Public Resources Code Section 5097 has specific stop-work and notification procedures to follow in the event that human remains are inadvertently discovered during Project implementation.

While no human remains are documented on or near the Project site, implementation of the following mitigation measure would ensure that all construction activities which inadvertently discover human remains implement state-required consultation methods to determine the disposition and historical significance of any discovered human remains. Mitigation Measure 3.5-1 would ensure that any discovered human remains are evaluated and addressed in compliance with State law and would reduce this impact to a less-than-significant level.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.5-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to disturb human remains, including those interred outside of formal cemeteries will be mitigated to a less than significant level.

3. IMPACT 3.5-3: PROJECT IMPLEMENTATION HAS THE POTENTIAL TO CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A TRIBAL CULTURAL RESOURCE, DEFINED IN PUBLIC RESOURCES CODE SECTION 21074.

(a) Potential Impact. The potential for the Project to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 is discussed on pages 3.5-17 and 3.5-18 of the Draft EIR.

(b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.5-1.

(c) Findings. The Project site is located in an area known to have historical, archaeological, and tribal cultural resources. As described under the Native American Consultation heading in the Existing Setting, the City of Lathrop sent outreach letters including questions about the identified Sacred site and for information and evidence to support the presence of a Sacred site. On February 5, 2021, the City received letter from the

Northern Valley Yokuts Tribe requesting Consultation per PRC Section 21080.3.2(a). All consultation correspondence and a contact log are provided in Appendix C.

While no specific resources have been identified through consultation with affiliated tribes, it is possible that unknown tribal cultural resources may be present within the Project site. The proposed Project would be required to follow development requirements, including compliance with local policies, ordinances, and applicable permitting procedures related to protection of tribal resources.

As discussed under Impacts 3.5-1 and 3.5-2, development of the proposed Project could impact unknown archaeological resources including Native American Tribal artifacts and human remains. Implementation of Mitigation Measure 3.5-1 would ensure that the potential impact to tribal resources, including human remains, would be less than significant.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.5-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074, will be mitigated to a less than significant level.

C. GEOLOGY AND SOILS

1. IMPACT 3.6-3: THE PROPOSED PROJECT HAS THE POTENTIAL TO BE LOCATED ON A GEOLOGIC UNIT OR SOIL THAT IS UNSTABLE, OR THAT WOULD BECOME UNSTABLE AS A RESULT OF PROJECT IMPLEMENTATION, AND POTENTIALLY RESULT IN LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION OR COLLAPSE.
 - (a) Potential Impact. The potential for the Project to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Project implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse is discussed on pages 3.6-20 through 3.6-24 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.6-1 and 3.6-2.
 - (c) Findings. The Project site does not have a significant risk of becoming unstable as a result of landslide, subsidence, soil collapse, liquefaction, liquefaction induced settlement, or lateral spreading. Nevertheless, while the Geotechnical Engineering Investigation concludes that construction of the Project is feasible from a geotechnical standpoint provided the site preparation, grading and building recommendations in the Investigation are incorporated. Therefore, with implementation of the following mitigation measures, as recommended by the Geotechnical Engineering Investigation,

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in addition to compliance with applicable laws, standards, and guidelines, (including the CBSC and City's Municipal Code), the proposed Project would have a less than significant impact relative to this topic

In accordance with Public Resources Code, § 21081, Mitigation Measures 3.6-1 and 3.6-2 are appropriate changes or alterations that have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the Project to be located on a geologic unit or soil that is unstable, or that would become unstable as a result of Project implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse will be mitigated to a less than significant level.

2. **IMPACT 3.6-5: THE PROPOSED PROJECT HAS THE POTENTIAL TO DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE.**

- (a) **Potential Impact.** The potential to directly or indirectly destroy a unique geological feature or paleontological resource is discussed on page 3.6-25 of the Draft EIR.
- (b) **Mitigation Measures.** The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.6-3.
- (c) **Findings.** Although the Project site is not expected to contain subsurface paleontological resources, the Project site is in an area known to have these resources and it is possible that undiscovered paleontological resources could be encountered during ground-disturbing activities. Damage to or destruction of a paleontological resource would be considered a potentially significant impact under local, state, or federal criteria. Implementation of Mitigation Measure 3.6-3 would ensure steps would be taken to reduce impacts to paleontological resources in the event that they are discovered during construction, including stopping work in the event potential resources are found, evaluation of the resource by a qualified paleontologist and appropriate handling of any potential resource.

In accordance with Public Resources Code, § 21081, Mitigation Measure 3.6-3 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to directly or indirectly destroy a unique geological feature or paleontological resource will be mitigated to a less than significant level.

D. HAZARDS AND HAZARDOUS MATERIALS

1. IMPACT 3.8-1: POTENTIAL TO CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS OR THROUGH REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT.
 - (a) Potential Impact. The potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment is discussed on pages 3.8-22 through 3.8-25 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.8-1 through 3.8-3.
 - (c) Findings. The Phase I Environmental Site Assessment (ESA) for the Project site has revealed no evidence of a recognized environmental condition (REC), historical recognized environmental condition (HREC), or controlled recognized environmental condition (CREC) in connection with the Project site. Nevertheless, the Phase I ESA has identified potential environmental concerns that should be evaluated further prior to ground disturbance. Based on the conclusions of the Phase I ESA, areas where agricultural activities occurred historically and areas where the petroleum-containing waste were located would require soil sampling to assess the soils in these areas. Additionally, according to the Phase I ESA, an abandoned water well is located onsite and the proper well abandonment permit would be obtained.

In accordance with Public Resources Code, § 21081, Mitigation Measures 3.8-1 through 3.8-3 and 3.9-1 are appropriate changes or alterations that have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to create a significant hazard through the routine transport, use, or disposal of hazardous materials or through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment will be mitigated to a less than significant level.

E. NOISE

2. IMPACT 3.11-1: THE PROPOSED PROJECT HAS THE POTENTIAL TO GENERATE A SUBSTANTIAL TEMPORARY OR PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE VICINITY OF THE PROJECT IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES.

- (a) Potential Impact. The potential to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies is discussed on pages 3.11-12 through 3.11-17 of the Draft EIR.
- (b) Mitigation Measures. The following mitigation measures are hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measures 3.11-1 and 3.11-2.
- (c) Findings. Operational noise levels produced by the proposed Project were analyzed in accordance with the San Joaquin County noise level standards as the existing sensitive receptors are located outside of the boundaries of the City of Lathrop.

As shown in Figure 3.11-2 in Section 3.11 of the Draft EIR, the proposed Project is predicted to generate noise levels ranging from 42 to 46 dBA Leq during both daytime and nighttime hours at the residential uses to the north and south of the proposed Project. The City of Lathrop also defines a significant increase due to stationary (non-transportation) sources as an increase of 3 dB above the background noise levels. The existing average nighttime ambient noise level at these receptors was measured to be 64 dBA Leq. The Existing Plus Project noise would be 64 dBA Leq. Therefore, the stationary sources associated with the Project would not result in an increase of 3 dB or greater. However, the Project noise levels would exceed the County of San Joaquin non-transportation noise level standard of 45 dBA Leq for nighttime noise levels. Therefore, this is a potentially significant impact and additional noise control measures would be required.

Mitigation Measure 3.11-1 requires the extension of the noise barrier at the northern boundary of the project site. The barrier should be increased in length from 215 feet to 250 feet with the additional 35 feet added west of the proposed wall. This will allow the sound wall to sufficiently shield the entire outdoor area of the adjacent sensitive receptor. The extended noise barrier and resulting noise level contours are shown in Figure 3.11-3. This would reduce stationary noise levels generated by the Project to below the San Joaquin County noise level standards. Implementation of Mitigation Measure 3.11-1 would reduce operational noise levels to below the County's thresholds.

Noise would also be generated during the construction phase by increased truck traffic on area roadways. A Project-generated noise source would be truck traffic associated

with transport of heavy materials and equipment to and from the construction site. This noise increase would be of short duration and would occur during daytime hours.

Although construction activities are temporary in nature and would occur during normal daytime working hours, construction-related noise could result in sleep interference at existing noise-sensitive land uses in the vicinity of the construction if construction activities were to occur outside the normal daytime hours. Therefore, impacts resulting from noise levels temporarily exceeding the threshold of significance due to construction would be considered potentially significant.

Mitigation Measure 3.11-2 requires that construction activities are limited to certain hours, construction equipment is properly maintained, equipment idling is limited, and stationary equipment is located away from noise-sensitive uses.

In accordance with Public Resources Code, § 21081, Mitigation Measures 3.11-1 and 3.11-2 are appropriate changes or alterations that have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential to generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies will be mitigated to a less than significant level.

F. TRANSPORTATION AND CIRCULATION

1. IMPACT 3.13-1: IMPLEMENTATION OF THE PROPOSED PROJECT WOULD NOT CONFLICT WITH A PROGRAM, PLAN, ORDINANCE OR POLICY ADDRESSING THE CIRCULATION SYSTEM, INCLUDING TRANSIT, ROADWAY, BICYCLE, AND PEDESTRIAN FACILITIES.
 - (a) Potential Impact. The potential for the proposed Project to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities is discussed on pages 3.13-12 and 3.13-13 of the Draft EIR.
 - (b) Mitigation Measures. The following mitigation measure is hereby adopted and will be implemented as provided by the Mitigation Monitoring Program: Mitigation Measure 3.13-1.
 - (c) Findings. Traffic generated by the Project would not change the traffic mix in the area and would be compatible with existing and planned roadway and highway facility design. The Project will also support the implementation of City of Lathrop's General Plan and CIP to serve the vehicle (cars and trucks), transit, bicycle, and pedestrian system. These improvement in the vicinity of the proposed Project would improve multi-modal safety in the City of Lathrop. The proposed Project does not consist of any improvements or physical changes to the freeway mainline, freeway interchange, or

other State Highway System (SHS) facilities. A detailed review of the facility design of the safety improvement projects confirmed that the proposed Project would improve on the non-existent multi-modal facility by providing sidewalks along the Project frontage on Roth Road and Manthey Road.

The City of Lathrop is currently preparing an Active Transportation Plan that will identify pedestrian, bicycle and transit improvements in the vicinity of the proposed Singh Petroleum Investments Project site. Based on the location of the future active transportation facilities, Mitigation Measure 3.13-1 is recommended. This mitigation requires coordination with the City to construct sidewalks along the Project frontage, among other requirements related to pedestrian facilities.

- (d) In accordance with Public Resources Code, § 21081, Mitigation Measure 3.13-1 is an appropriate change or alteration that has been required in, or incorporated into, the Project which avoids or substantially lessens the significant environmental effect as identified in the EIR. Based upon the EIR and the entire record before this City Council, this City Council finds that the potential for the proposed Project to conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities will be mitigated to a less than significant level.

V. FINDINGS AND RECOMMENDATIONS REGARDING THOSE IMPACTS WHICH ARE LESS THAN SIGNIFICANT OR LESS THAN CUMULATIVELY CONSIDERABLE

Specific impacts within the following categories of environmental effects were found to be less than significant as set forth in more detail in the Draft EIR.

Aesthetics and Visual Resources: The following specific impacts were found to be less than significant: 3.1-1, 3.1-2, and 3.1-3.

Agricultural Resources: The following specific impacts were found to be less than significant: 3.2-1 and 3.2-2.

Air Quality: The following specific impacts were found to be less than significant: 3.3-2 and 3.3-4.

Biological Resources: The following specific impacts were found to be less than significant: 3.4-5, 3.4-6, 3.4-7, 3.4-8, 3.4-9, and 3.4-11.

Geology and Soils: The following specific impacts were found to be less than significant: 3.6-1, 3.6-2, and 3.6-4.

Greenhouse Gases, Climate Change, and Energy: The following specific impacts were found to be less than significant: 3.7-1 and 3.7-2.

Hazards and Hazardous Materials: The following specific impacts were found to be less than significant: 3.8-2, 3.8-3, 3.8-4, and 3.8-5.

Hydrology and Water Quality: The following specific impacts were found to be less than significant: 3.9-1, 3.9-2, 3.9-3, 3.9-4, and 3.9-5.

Land Use: The following specific impacts were found to be less than significant: 3.10-1 and 3.10-2.

Noise: The following specific impacts were found to be less than significant: 3.11-2 and 3.11-3.

Public Services and Recreation: The following specific impacts were found to be less than significant: 3.12-1, 3.12-2, 3.12-3, 3.12-4, and 3.12-5.

Transportation and Circulation: The following specific impacts were found to be less than significant: 3.13-2 and 3.13-4.

Utilities: The following specific impacts were found to be less than significant: 3.14-1, 3.14-2, 3.14-3, 3.14-4, 3.14-5, and 3.14-6.

The Project was found to have a less than cumulatively considerable contribution to specific impacts within the following categories of environmental effects as set forth in more detail in the Draft EIR.

Aesthetics and Visual Resources: The following specific impact was found to be less than cumulatively considerable: 4.1, 4.2, and 4.3.

Agricultural Resources: The following specific impact was found to be less than cumulatively considerable: 4.4.

Biological Resources: The following specific impact was found to be less than cumulatively considerable: 4.6.

Cultural and Tribal Resources: The following specific impact was found to be less than cumulatively considerable: 4.7.

Geology and Soils: The following specific impact was found to be less than cumulatively considerable: 4.8.

Greenhouse Gases, Climate Change, and Energy: The following specific impact was found to be less than cumulatively considerable: 4.9.

Hazards and Hazardous Materials: The following specific impact was found to be less than cumulatively considerable: 4.10.

Hydrology and Water Quality: The following specific impacts were found to be less than cumulatively considerable: 4.11, 4.12, 4.13, and 4.14.

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Land Use: The following specific impact was found to be less than cumulatively considerable: 4.15.

Noise: The following specific impact was found to be less than cumulatively considerable: 4.16.

Public Services: The following specific impact was found to be less than cumulatively considerable: 4.17.

Transportation and Circulation: The following specific impacts were found to be less than cumulatively considerable: 4.18 and 4.19.

Utilities: The following specific impacts were found to be less than cumulatively considerable: 4.21, 4.22, 4.23, and 4.24.

The above impacts are less than significant or less than cumulatively considerable for one of the following reasons:

- The EIR determined that the impact is less than significant for the Project;
- The EIR determined that the Project would have a less than cumulatively considerable contribution to the cumulative impact; or
- The EIR determined that the impact is beneficial (would be reduced) for the Project.

VI. PROJECT ALTERNATIVES

A. IDENTIFICATION OF PROJECT OBJECTIVES

An EIR is required to identify a range of reasonable alternatives to the project. The “range of potential alternatives to the project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects.” (CEQA Guidelines Section 15126.6(c).) “Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent).” (CEQA Guidelines Section 15126.6(f)(1).)

The principal objective of the proposed Project is the approval of the proposed Project that includes development of the 19.63-acre Development Area for regional travel serving uses. Implementation of the Project would involve the development of fueling facilities, traveler amenities, and parking facilities for passing motorists and commercial truck operators.

The proposed Project identifies the following objectives:

- To develop a property of sufficient size to accommodate all of the following: a travel center that consists of a truck and auto repair shop, convenience store, adjoining fast food

restaurants, restrooms, and auto and truck fuel dispensing area able to accommodate cars and semi-trucks per day;

- To provide visitor-serving facilities that maximize the benefits of the Project site's proximity to I-5 for all buildings and tenants and thereby minimize traffic generation on local streets by visitors exiting and reentering the freeway;
- To construct a facility with access to adequate existing or anticipated utility infrastructure to support planned operations;
- To accommodate the planned Roth Road / I-5 interchange improvements and realignment of Manthey Road;
- To create new jobs that can be filled wholly or partly by local residents; and
- To maximize tax revenues to the City of Lathrop.

B. ALTERNATIVES ANALYSIS IN EIR

The alternatives analysis provides a summary of the relative impact levels of significance associated with each alternative for each of the environmental issue areas analyzed in the Draft EIR. The environmental analysis for each of the alternatives is included in Chapter 5.0.

1. NO PROJECT (NO BUILD) ALTERNATIVE:

The **No Project (No Build) Alternative** is discussed on pages 5.0-4, 5.0-5, and 5.0-7 through 5.0-10 of the Draft EIR. Under the No Project (No Build) Alternative development of the Project site would not occur, and the Project site would remain in its current existing condition. The Project site is comprised of flat land with ruderal grasses, fallow ground, several trees (located primarily along the northern and eastern boundary of the Project site), a foundation from a previously demolished abandoned structure, and impervious area. The footprint of the abandoned structure is approximately 1,430 square feet (sf) and the impervious area is approximately 2,500 sf. Under this alternative, the Project site would not be annexed to the City and would remain subject to County planning indefinitely. The San Joaquin County General Plan designates the Project site as Agriculture/General (A/G) and the City of Lathrop General Plan designates the Project site as Freeway Commercial (FC). It is noted that this alternative would fail to meet the majority of the Project objectives.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction of impacts to Aesthetics and Visual Resources, Agricultural Resources, Air Quality, Biological Resources, Cultural and Tribal Resources, Geology and Soils, Greenhouse Gases, Climate Change and Energy, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use, Noise, Public Services and Recreation, Transportation and Circulation, and Utilities.

While the City recognizes the environmental benefits of the No Project (No Build) Alternative, this alternative would not achieve any of the Project objectives. Specifically, this alternative would not: develop a property of sufficient size to accommodate all of the following: a travel center that consists of a truck and auto repair shop, convenience store, adjoining fast food restaurants, restrooms, and auto and truck fuel dispensing

area able to accommodate cars and semi-trucks per day; provide visitor-serving facilities that maximize the benefits of the Project site's proximity to I-5 for all buildings and tenants and thereby minimize traffic generation on local streets by visitors exiting and reentering the freeway; construct a facility with access to adequate existing or anticipated utility infrastructure to support planned operations; accommodate the planned Roth Road / I-5 interchange improvements and realignment of Manthey Road; create new jobs that can be filled wholly or partly by local residents; or maximize tax revenues to the City of Lathrop.

Additionally, this alternative would not realize the project benefits of increased freeway commercial areas, additional employment opportunities, or new tax revenue. For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

2. REDUCED PROJECT SIZE AND INTENSITY ALTERNATIVE:

The **Reduced Project Size and Intensity Alternative** is discussed on pages 5.0-4 through 5.0-6, and 5.0-10 through 5.0-14 of the Draft EIR. Under the Reduced Project Size and Intensity Alternative, the same types of fueling facilities, traveler amenities, and parking facilities for passing motorists and commercial truck operators as described in the Project Description would be developed, but several changes would occur that would reduce the project size and overall intensity of commercial activity and circulation patterns. Changes include: 1) reducing the number of truck and automobile fueling stations by four stations (elimination of two truck and two automobile stations), 2) reducing the 16,688-sf building to 13,000-sf, 3) eliminating the drive-thru quick service restaurant, 4) eliminating one of the proposed dog runs, and 5) shifting the interim site access on Manthey Road to the north under Phase I.

Under this alternative, the Project site would decrease from 22.42 acres to 19.42 acres, with the excess three acres remaining in its current condition. The excess three acres would provide an additional buffer between the residence at 11401 Manthey Road and the proposed uses under this alternative under Phase I. The Phase I interim site access under this alternative would be shifted to the north, which would shift traffic away from the residence at 11401 Manthey Road. These modifications are intended to reduce air quality, noise, and traffic impacts to neighboring properties, by reducing commercial intensity and changing the circulation patterns. Similar to the proposed Project, the circulation improvements for this alternative would be altered during Phase II once Manthey Road is realigned.

It is noted that this alternative would fail to meet all of the Project objectives.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction or slight reduction of impacts to Aesthetics and Visual Resources, Agricultural Resources, Air Quality, Biological Resources, Cultural and Tribal Resources, Geology and Soils, Greenhouse Gases, Climate Change and Energy, Hydrology and Water Quality, Noise, Transportation and Circulation, and Utilities. The remaining resources areas would have equal or similar impacts to the Project.

On balance, the alternative is less desirable than the Project and does not lessen the overall environmental impacts nor provide the same level of benefits as the proposed Project. While the City recognizes the environmental benefits of this alternative, this alternative would not achieve all of the Project objectives. The Project objectives which this alternative does achieve are achieved to a lesser extent than the proposed Project. For example, the Reduced Project Size and Intensity Alternative would develop a property of sufficient size to accommodate all of the following: a travel center that consists of a truck and auto repair shop, convenience store, adjoining fast food restaurants, restrooms, and auto and truck fuel dispensing area able to accommodate cars and semi-trucks per day; however, this objective would be met to a lesser extent than the proposed Project as this alternative would reduce the building size and eliminate the drive-thru quick service restaurant. Similarly, this alternative would provide jobs for local residents and would result in tax revenue for the City; however, due to the reduced building sizes, this alternative would result in fewer jobs and less tax revenue compared to the Project.

This alternative is also potentially economically unfeasible due to the elimination of a portion of the Project site. This landowner, or landowners, would be left with fully or partially undeveloped parcels.

In conclusion, this alternative would not provide the amount of new freeway commercial opportunities for the City. For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

3. REVISED CIRCULATION ALTERNATIVE:

The **Revised Circulation Alternative** is discussed on pages 5.0-4, 5.0-6, and 5.0-14 through 5.0-18 of the Draft EIR. Under the Revised Circulation Alternative, the same types of fueling facilities, traveler amenities, and parking facilities for passing motorists and commercial truck operators as described in the Project Description would be developed, but several changes would occur that would change the commercial activity and circulation patterns on the Project site. Changes include: 1) reducing the 16,688-sf building to 13,000-sf, 2) eliminating the drive-thru quick service restaurant, 3) eliminating one of the proposed dog runs, 4) shifting the interim site access on Manthey Road to the north, and 5) extending Roth Road further west, adding a truck ingress/egress to the Project site from Roth Road. This alternative is like the Reduced Project Size and Intensity Alternative, except that it does not eliminate three acres from the footprint of the Project and it also adds the extension of Roth Road with ingress/egress to the Project site.

Under this alternative, the Phase I interim site access would be shifted to the north, which would shift traffic away from the residence at 11401 Manthey Road. Additionally, Roth Road would be extended further west under Phase I, adding a truck ingress/egress to the Project site which would reduce the use of the Manthey Road by trucks during Phase I. These modifications are intended to reduce air quality, noise, and traffic impacts to neighboring properties, by changing the circulation patterns for truck traffic during Phase I. Like the proposed Project, the circulation improvements for this alternative would be altered during Phase II once Manthey Road is realigned.

It is noted that this alternative would fail to meet all of the Project objectives.

Findings: Environmental benefits of this alternative over the proposed Project include the reduction or slight reduction of impacts to Air Quality, Greenhouse Gases, Climate Change and Energy, Noise, and Transportation and Circulation. Impacts related to the remaining environmental topics would have equal impacts.

On balance, the alternative is less desirable than the Project and does not lessen the overall environmental impacts nor provide the same level of benefits as the proposed Project. While the City recognizes the environmental benefits of this alternative, this alternative would not achieve all of the Project objectives. The Project objectives which this alternative does achieve are achieved to a lesser extent than the proposed Project. For example, the Revised Circulation Alternative would develop a property of sufficient size to accommodate all of the following: a travel center that consists of a truck and auto repair shop, convenience store, adjoining fast food restaurants, restrooms, and auto and truck fuel dispensing area able to accommodate cars and semi-trucks per day; however, this objective would be met to a lesser extent than the proposed Project as this alternative would reduce the building size and eliminate the drive-thru quick service restaurant. Similarly, this alternative would provide jobs for local residents and would result in tax revenue for the City; however, due to the reduced building sizes, this alternative would result in fewer jobs and less tax revenue compared to the Project.

For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

4. PHASE II ONLY ALTERNATIVE:

The **Phase II Only Alternative** is discussed on pages 5.0-5 through 5.0-7 and 5.0-18 through 5.0-22 of the Draft EIR. Under the Phase II Only Alternative, the same types of fueling facilities, traveler amenities, and parking facilities for passing motorists and commercial truck operators as described in the Project Description would be developed, but the circulation, access and parking Phase I portions of the plan would not be approved. Changes include: 1) eliminating Phase I from the Project, and 2) full construction of all onsite and offsite improvements. This alternative is like the proposed Project, except that it does not allow for a two phase development process with interim improvements (specifically it would not allow access on the existing Manthey Road), and instead would require full buildout of Phase II.

Under this alternative the defined Phase II would be fully constructed. This includes: (1) the realignment of Manthey Road from the existing configuration to run along the western boundary of the Project site with a new connection to Roth Road, (2) improvement of Roth Road to the north of the Project site, and (3) improvements of the interchange for I-5. Because no new buildings are proposed as part of the Phase II development, all buildings constructed in Phase I would be constructed as part of this alternative as a first and only phase. Also, because there would be no interim improvements, there would be no removal of any interim circulation-related improvements.

These modifications are intended to reduce air quality, noise, and traffic impacts to neighboring properties, by changing the circulation patterns.

It is noted that this alternative would fail to meet all of the Project objectives.

Findings: Environmental benefits of this alternative over the proposed Project include the slight reduction of impacts to Air Quality and Transportation and Circulation. Impacts related to the remaining environmental topics would have equal impacts.

On balance, the alternative is less desirable than the Project and does not provide the same level of benefits as the proposed Project. While the City recognizes the environmental benefits of this alternative, this alternative is potentially economically unfeasible due to the elimination of Phase I of the Project. By requiring full buildout of Phase II of the Project, this alternative would result in schedule delays. This alternative would require close coordination between the applicant, the City, and Caltrans regarding the realigned Manthey Road and the future Roth Road extension. For all of these foregoing reasons and any one of them individually, this alternative is determined to be infeasible and rejected.

4. ENVIRONMENTALLY SUPERIOR ALTERNATIVE:

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed project.

As shown on Table 5.0-1 of the Draft EIR (on page 5.0-23), a comparison of alternatives is presented. The No Project (No Build) Alternative is the environmentally superior alternative. However, as required by CEQA, when the No Project (No Build) Alternative is the environmentally superior alternative, the environmentally superior alternative among the others must be identified. The Reduced Project Size and Intensity Alternative would reduce or slightly reduce impacts related to 11 environmental issues and would have equal impacts related to three environmental issues. The Revised Circulation Alternative would reduce or slightly reduce impacts related to five environmental issues and would have equal impacts related to nine environmental issues. The Phase II Only Alternative would result slightly reduced impacts to two environmental issues and would have equal impacts related to 12 environmental issues. Therefore, the Reduced Project Size and Intensity Alternative would be the next environmentally superior alternative.

It should be noted that the Reduced Project Size and Intensity Alternative does not meet all of the Project objectives. This alternative would result in fewer job opportunities for Lathrop residents. This would also reduce the property tax and sales tax revenue generation as compared to the Project. While the City recognizes the environmental benefits of the Reduced Project Size and Intensity Alternative, this alternative would not result in the amount of freeway commercial uses that are identified in the Project objectives under full buildout of the Project site.

For the reasons provided above, this alternative is determined to be infeasible and rejected.

VII. STATEMENTS OF OVERRIDING CONSIDERATIONS RELATED TO THE SINGH PETROLEUM INVESTMENTS FINDINGS

As described in detail in Section III of these Findings, the following significant and unavoidable impacts could occur with implementation of the Project:

- Impact 3.3-1: Project operation could conflict with or obstruct implementation of the District's air quality plan
- Impact 3.3-3: The proposed Project could expose sensitive receptors to substantial pollutant concentrations
- Impact 4.5: Cumulative Impact on the Region's Air Quality

The adverse effects listed above, and described in detail in Section III, are substantive issues of concern to the City. However, the City of Lathrop has a General Plan that provides for an array of land uses throughout the City that are intended to accommodate the City's needs for growth over the foreseeable future. The proposed Project has been designated with land uses that are intended to generate jobs and tax revenue for the City, while providing freeway commercial opportunities. The proposed Project would provide an increase in local jobs that could be filled by the citizens of Lathrop, which could reduce the number of citizens commuting to areas outside of the City. Implementation of the proposed Project would provide job growth to the area. It is anticipated that local employment would be increased to provide administrative, management, automotive mechanical, and technical services. The proposed Project is expected to require both full-time and part-time employees. Additionally, development of the Project would provide short-term employment opportunities within the construction, engineering, and design field, among others.

Additionally, the proposed Project would generate tax revenue that the City would not otherwise benefit from if the Project was not developed. The job creating uses, additional employment opportunities, and tax benefits discussed above would ultimately improve the overall quality of life in the City of Lathrop.

Based on the entire record and the EIR, the City Council has determined that the economic and social benefits of the Project in Lathrop outweigh and override the significant unavoidable environmental effects that would result from future Project implementation as more fully described in Section III, Findings and Recommendations Regarding Significant and Unavoidable Impacts. The City Council has determined that any environmental detriment caused by the proposed Project has been minimized to the extent feasible through the mitigation measures identified herein, and, where mitigation is not feasible, has been outweighed and counterbalanced by the significant social, environmental, and land use benefits to be generated within the region. The City Council finds that any one of the benefits set forth above is sufficient by itself to warrant approval of the Project. This determination is based on the findings herein and the evidence in the record. Having balanced the unavoidable adverse environmental impacts against each of the benefits, the City Council hereby adopts this Statement of Overriding Considerations for the above reasons.

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 24-6**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING THE CITY COUNCIL CERTIFICATION OF THE FINAL
ENVIRONMENTAL IMPACT REPORT (SCH #2022120596), CEQA FINDINGS OF
FACT, STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION
MEASURES/MONITORING PLAN FOR THE SINGH PETROLEUM PROJECT (FILE
NO. GPA-20-60, REZ-20-61, CUP-20-62, SPR-20-63, AND ANX-20-64)**

WHEREAS, the Singh Petroleum Project includes General Plan Amendment No. GPA-20-60, PreZone No. REZ-20-61, Conditional Use Permit No. CUP-20-62, Site Plan Review No. SPR-20-63, and Annexation No. ANX-20-64); and

WHEREAS, the proposed project includes the development of regional travel serving uses constructed in two (2) phases consisting of gas and diesel facilities for passenger and commercial vehicles, a 16,668 sq. ft. travel center building that includes a convenience market, driver amenities, and two Quick Service Restaurants (QSR) with one drive-through, a 13,846 sq. ft. 4-bay full service truck and automobile repair facility, and off-street parking for motorists and commercial truck operators on a combined 19.63-acre project site; and

WHEREAS, the properties are located at 169 W. Manilla Road and 11296 S. Manthey Road (APNs: 191-250-06 and 191-250-14, respectively); and

WHEREAS, on January 22, 2021, the City sent letters to the tribes on the Native American Contact list that the City received from the Native American Heritage Commission pursuant to Public Resources Code Section 21080.3.1; and

WHEREAS, the City held one Consultation meeting with the Northern Valley Yokuts tribe to discuss the project and the City closed the consultation on October 27, 2021. No further written or oral comments were received relating to the project; and

WHEREAS, a Notice of Preparation of the Singh Petroleum Project was mailed to all responsible agencies and submitted to the State Clearinghouse on December 22, 2023, pursuant to Public Resources Code Section 21080.4 and CEQA Guidelines Section 15082; and

WHEREAS, a Draft Environmental Impact Report (DEIR) for the Singh Petroleum Project was prepared in accordance with Public Resources Code Section 21000 et. seq. and CEQA Guidelines Section 15000 et. seq.; and

WHEREAS, in accordance with Public Resources Code Section 21000 et. seq. and CEQA Guidelines Section 15000 et. seq., the City of Lathrop prepared and circulated for a 45-day public review period the DEIR for the Singh Petroleum Project, beginning on February 7, 2024 and ending on March 25, 2024, that evaluated potential environmental effects of the proposed Singh Petroleum Project; and

WHEREAS, a notice inviting comments on the DEIR was given in compliance with CEQA Guidelines Section 15085; and

WHEREAS, the City of Lathrop received six (6) written comments on the DEIR and responses to those comments were prepared in the form of the Final Environmental Impact Report (FEIR), dated April, 2024 (incorporated by reference herein); and

WHEREAS, pursuant to Public Resources Code Section 21092.5, the City of Lathrop provided notice regarding the availability of the FEIR and circulated the proposed responses to comments to public agencies submitting comments on the DEIR; and

WHEREAS, the Planning Commission has independently reviewed and analyzed the Final Environmental Impact Report for the Singh Petroleum Project and considered the information contained therein and all comments, written and oral, received at the public hearing on the FEIR prior to approving this resolution and recommending action on the Singh Petroleum Project; and

WHEREAS, the Planning Commission reviewed the FEIR prepared for the Singh Petroleum Project, City Staff Reports pertaining to the DEIR and FEIR, and all evidence received at the duly noticed Public Hearing. All these documents and evidence herein incorporated by reference into this Resolution; and

WHEREAS, the FEIR identified certain significant and potentially significant adverse effects on the environment caused by the Singh Petroleum Project. It is the intent of the Planning Commission that the mitigation measures contained in the EIR are implementation measures for the development of the Singh Petroleum Project; and

WHEREAS, the City is required whenever possible, pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant effects. A Mitigation Monitoring Reporting Program (MMRP) has been prepared for the Singh Petroleum Project; and

WHEREAS, the City is required, when approving a project for which an EIR has been prepared to 1) make written findings with regard to the disposition of each significant impact, and if significant unavoidable impacts remain after mitigation, to 2) identify overriding considerations explaining why the City will continue to move ahead with the project; and

WHEREAS, property notice of this public meeting was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about May 2, 2024, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed the City's Public Hearing subscribers and interested parties and posted at three locations accessible to the public and the City website; and

WHEREAS, the Planning Commission has utilized its own independent judgement in adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lathrop based on findings included herein, and based on substantial evidence in the administrative record of proceedings, recommend City Council certification of the Singh Petroleum Project Final Environmental Impact Report (SCH# 2022120596), including the “CEQA Findings of Fact and Statement of Overriding Considerations”, as referenced in the Planning Commission Staff Report as Attachment 15, and subject to the “Mitigation Monitoring Reporting Plan” (MMRP), as referenced in the Planning Commission Staff Report as Attachment 7.

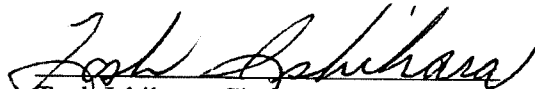
PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a Regular Meeting on the 15th day of May, 2024 by the following vote:

AYES: Ishihara, Ralmilay, Camarena, Jackson, Rhodes

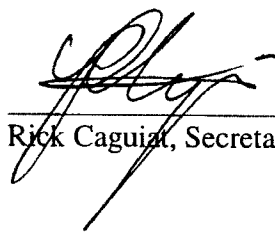
NOES: None

ABSENT: None

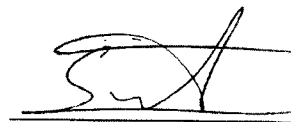
ABSTAIN: None


Tosh Ishihara, Chairman

ATTEST:


Rick Caguiat, Secretary

APPROVED AS TO FORM:


Salvador Navarrete, City Attorney

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 24-7**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING CITY COUNCIL ADOPTION OF A GENERAL PLAN
AMENDMENT TO THE GENERAL PLAN LAND USE MAP FOR THE SINGH
PETROLEUM PROJECT (GPA-20-60)**

WHEREAS, the Singh Petroleum Project includes General Plan Amendment No. GPA-20-60, PreZone No. REZ-20-61, Conditional Use Permit No. CUP-20-62, Site Plan Review No. SPR-20-63, and Annexation No. ANX-20-64); and

WHEREAS, the proposed project includes the development of regional travel serving uses constructed in two (2) phases consisting of gas and diesel facilities for passenger and commercial vehicles, a 16,668 sq. ft. travel center building that includes a convenience market, driver amenities, and two Quick Service Restaurants (QSR) with one drive-through, a 13,846 sq. ft. 4-bay full service truck and automobile repair facility, and off-street parking for motorists and commercial truck operators on a combined 19.63-acre project site; and

WHEREAS, the properties are located at 169 W. Manilla Road and 11296 S. Manthey Road and (APNs: 191-250-06 and 191-250-14, respectively);

WHEREAS, Section 65358 of the California Government Code provides for the amendment of all or part of an adopted General Plan; and

WHEREAS, the City has complied with the requirements of the Government Code (Government Code Section 65300 et. seq.), the current State of California General Plan Guidelines, and the City's applicable ordinances and resolutions with respect to approval of the proposed Singh Petroleum Project General Plan Amendment (GPA); and

WHEREAS, pursuant to Government Code Section 65090, notice of the Planning Commission hearing was published in accordance with State law in at least one newspaper of general circulation within the City of Lathrop at least ten calendar days before the Planning Commission's public hearing; and

WHEREAS, prior to recommending adoption of the GPA, the Planning Commission adopted a Resolution, recommending that the City Council adopt a Resolution Certifying the Final Environmental Impact Report (Final EIR), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, before recommending approval of the GPA, the Planning Commission reviewed and considered the information contained in the Final EIR for the Singh Petroleum Project (SCH #2022120596), and finds that mitigation measures identified in the Final EIR have been imposed on and incorporated in the Singh Petroleum Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, that specific economic, social and other considerations make infeasible the project alternatives that would avoid or mitigate the environmental impacts and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated; and

WHEREAS, the proposed GPA is an amendment to the adopted 2022 Lathrop General Plan, which was adopted on September 19, 2022; and

WHEREAS, the proposed GPA consists of amendments to the City of Lathrop General Plan Map, as shown in Attachment 10 of the Planning Commission Staff Report incorporated by reference herein; and

WHEREAS, State Planning Law and the Lathrop Municipal Code require the Planning Commission to provide a recommendation for a General Plan Amendment to the City Council by Resolution; and

WHEREAS, notice of the proposed GPA was provided pursuant to California Government Code Section 65352.3 and 65352.4 (General Plan review by California Native American tribes). Notice was mailed out to California Native American tribes on a list provided by the California Native American Heritage Commission (NAHC) on January 22, 2021; and

WHEREAS, no written or oral comments were received relating to the proposed General Plan Amendment for the Singh Petroleum Project; and

WHEREAS, property notice of this public meeting was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about May 2, 2024, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed the City's Public Hearing subscribers and interested parties and posted at three locations accessible to the public and the City website; and

WHEREAS, the Planning Commission has utilized its own independent judgment in adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lathrop does hereby make the following findings:

Section 1. This Resolution incorporates, and by this reference makes a part hereof, that certain GPA, as shown in Attachment 10 of the Planning Commission Staff Report, relative to the proposed development of the Singh Petroleum Project; and

Section 2. General Plan Amendment Findings. The Planning Commission finds and determines as follows:

1. The proposed GPA would amend the General Plan Land Use Map adopted September 19, 2022, as amended through 2024, to reflect the proposed Singh Petroleum Project land uses.
2. The proposed GPA is in the public interest of the people of the City of Lathrop as set for in more detail in the Statement of Overriding Considerations in the CEQA Resolution, herein incorporated by reference.
3. The proposed General Plan Land Use Map Amendment would implement the following Policies contained in the General Plan in support of the proposed land use designations:
 - a. *“Policy LU-1.1: Support a full spectrum of conveniently located residential, commercial, industrial, public, and quasi-public uses that support business development, regional transportation objectives and the livability of residential neighborhoods.”*
The proposed project includes the development of commercial retail space which would support business development within the City of Lathrop by providing regional transportation facilities.
 - b. *“Policy LU-1.9: Promote equitable land use patterns to provide all residents in all neighborhoods access to community amenities and transportation choices, and increase safety for walking and biking.”*
The project provides amenities to residents which support all transportation choices, such as full scale and commercial service facilities. One of the project’s objectives is to provide visitor-serving facilities that maximize the benefits of the project site’s proximity to I-5 and thereby minimizes traffic generation on local streets by visitors exiting and reentering the freeway. By minimizing traffic generated on local streets, conflicts between truck and automobile traffic and walkers and bikers is reduced.
 - c. *“Policy LU-3.1: Support regional efforts that promote higher densities and intensities near major transit and travel facilities, and reduce regional vehicle miles traveled by supporting active modes of transportation including walking, biking, and public transit.”*
The project site is designated for freeway commercial land uses in the City’s General Plan. The project would result in development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a major travel facility.

- d. *“Policy LU-3.4: Promote logical City boundaries and work with surrounding jurisdictions to encourage complementary uses. Specifically, work with the City of Manteca and San Joaquin County to ensure development of complementary and compatible uses adjacent to Lathrop.”*
The project site is located in the portion of the City adjacent to I-5 and will create a logical extension of the City’s boundary. The site has been anticipated for development of freeway commercial uses as part of the City’s General Plan and would result in the development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a major travel facility.
- e. *“Policy LU-5.1: Require new development to be compatible and complementary to existing development. Where appropriate and feasible, promote connections between neighborhoods and services and facilities.”*
The project is a new development which is compatible with the surrounding land uses. Existing freeway commercial and industrial uses are located directly across I-5 from the project site. The proposed commercial uses would be constructed in a similar form and scale as the existing freeway commercial, retail, and service uses within the City of Lathrop.
- f. *“Policy LU-5.6: In considering land use change requests, consider factors such as compatibility with surrounding uses in terms of privacy, noise, and changes in traffic levels.”*
The project includes buffer areas and screening from adjacent uses along the perimeter of the project site.
- g. *“Policy LU-6.1: Capitalize on Lathrop’s location within the Central Valley, proximity to major metropolitan areas, and regional transportation facilities.”*
The proposed project is considered small-scale and would provide jobs and local revenue for the City. The proposed project would generate employment and tax-generating businesses which would support the economic diversity of the City. Additionally, the project site is located near existing I-5 for the transportation of goods that support business development and serve regional transportation. The project would result in a development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a regional transportation facility.
- h. *“Policy LU-7.4: ensure that new urban uses which are proposed adjacent to lands designated for agricultural uses include adequate buffers to reduce land use conflicts and nuisance impacts to sensitive receptors.”*
The proposed project provides landscaping buffers between the southern and western portions of the project site and existing agricultural operations located to the south and west.

The 7.5-foot deep retention pond along the western boundary measures approximately 60-feet from the western boundary line and the retention basin to the southwestern corner measures approximately 266-feet from the southern boundary line. Together, the retention ponds provide sufficient buffer to protect the agricultural operations from the impacts of the development of the project site, as buffers typically consistent are 5 to 10 feet, according to Chapter 17.92, Landscaping and Screening, requirements of the Lathrop Municipal Code. Phase 2 of the project involves landscaping buffers to the north of the project site, along the northern project boundary. This includes a 10-foot width landscaping strip along the northern project boundary in order to buffer project uses from adjacent agricultural uses and would reduce adverse effects on neighboring agricultural uses.

Section 3. Upon adoption by the City Council, the Community Development Director is hereby directed to retain said GPA on permanent public display in the Community Development Department of the City of Lathrop.

Section 4. Based on the findings set forth in this Resolution, the CEQA Resolution, and the evidence in the Staff Report, the Planning Commission hereby recommends the City Council approve the proposed General Plan Amendment.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lathrop, based on substantial evidence in the administrative record of proceedings, its above findings, including the staff report and associated attachments, pursuant to its independent review and consideration, does hereby recommend the City Council adopt the General Plan Land Use Map Amendment, as illustrated and incorporated by reference as Attachment 10 of the Planning Commission Staff Report.

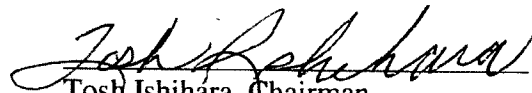
PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a Regular Meeting on the 15th day of May, 2024 by the following vote:

AYES: Ishihara, Ralmilay, Camarena, Jackson, Rhodes


NOES: None

ABSENT: None


ABSTAIN: None


Tosh Ishihara, Chairman

ATTEST:


Rick Caguiat, Secretary

APPROVED AS TO FORM:


Salvador Navarrete, City Attorney

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 24-8**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING CITY COUNCIL APPROVAL OF AN ORDINANCE AMENDING
THE LATHROP ZONING MAP TO PREZONE PROPERTIES IN THE SINGH
PETROLEUM PROJECT AREA (REZ-20-61)**

WHEREAS, the Singh Petroleum Project includes General Plan Amendment No. GPA-20-60, PreZone No. REZ-20-61, Conditional Use Permit No. CUP-20-62, Site Plan Review No. SPR-20-63, and Annexation No. ANX-20-64); and

WHEREAS, the proposed project includes the development of regional travel serving uses constructed in two (2) phases consisting of gas and diesel facilities for passenger and commercial vehicles, a 16,668 sq. ft. travel center building that includes a convenience market, driver amenities, and two Quick Service Restaurants (QSR) with one drive-through, a 13,846 sq. ft. 4-bay full service truck and automobile repair facility, and off-street parking for motorists and commercial truck operators on a combined 19.63-acre project site; and

WHEREAS, the properties are located at 169 W. Manilla Road and 11296 S. Manthey Road and (APNs: 191-250-06 and 191-250-14, respectively);

WHEREAS, the City of Lathrop held a duly noticed public hearing on May 15, 2024 to consider the Final Environmental Impact Report (Final EIR), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Reporting Plan (SCH #2022120596) prepared for the Singh Petroleum Project and associated entitlements; and

WHEREAS, the Singh Petroleum Project requires an amendment to the Lathrop Zoning Map in order to be consistent with and to implement the Lathrop General Plan; and

WHEREAS, before recommending approval of the amendments to the Lathrop Zoning Map, the Planning Commission reviewed and considered the information contained in the Final EIR for the Singh Petroleum Project (SCH #2022120596), and finds that mitigation measures identified in the Final EIR have been imposed on and incorporated in the Singh Petroleum Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, that specific economic, social and other considerations make infeasible the project alternatives that would avoid or mitigate the environmental impacts and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated; and

WHEREAS, prior to approving this Resolution recommending the City Council adopt the Amendments to the Lathrop Zoning Map, relating to the Singh Petroleum Project, the Planning Commission has independently reviewed and considered all written evidence and oral testimony presented to date, including the Environmental Impact Report (consisting of the DEIR and FEIR) prepared for the Singh Petroleum Project and associated entitlements, City staff reports and all information received at the duly noticed public hearings, all of these documents and evidence of which are incorporated herein by reference; and

WHEREAS, the Planning Commission finds that the pre-zoning of the project site to Highway Commercial (CH) Zoning classification is consistent with the Lathrop General Plan Land Use Designation of Freeway Commercial (FC); and

WHEREAS, property notice of this public meeting was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about May 2, 2024, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed the City's Public Hearing subscribers and interested parties and posted at three locations accessible to the public and the City website; and

WHEREAS, the Planning Commission has utilized its own independent judgment in adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lathrop does hereby make the following findings:

Section 1. This Resolution incorporates, and by this reference make a part hereof, that certain Zoning Map Amendments, as shown in Attachment 11 of the Planning Commission Staff Report, relative to the proposed development of the Singh Petroleum Project.

Section 2. Zoning Amendment Findings. Pursuant to Chapter 17.124 of the City of Lathrop Municipal Code, the Planning Commission finds and determines as follows:

1. The proposed pre-zoning of the project site to the Highway Commercial (CH) Zoning classification is consistent with the objectives, policies, principles, standards and general land use as specified in the City's General Plan, as amended by the Planning Commission General Plan Amendment Resolution No. 24-7. The proposed pre-zoning for the Singh Petroleum Project provide zoning standards to allow for urban development consistent with the Freeway Commercial (FC) General Plan Land Use Designation.

2. The proposed pre-zoning of the project site to the Highway Commercial (CH) Zoning classification is consistent with the purpose and objectives of the City of Lathrop zoning ordinance because 1) the amendment provides a zoning classification that guides development of highway commercial uses, of which the Travel Center is consistent with and consistent with the Lathrop General Plan; 2) it fosters the wholesome, serviceable and attractive living environment; 3) prevents excessive population densities and overcrowding of land with structures; 4) promotes safe, effective traffic circulation and adequate off-street parking and loading facilities; 5) promotes appropriately located commercial activities in order to preserve and strengthen the city's economic base; 6) enhance real property values and the city's natural assets; 7) ensure unimpeded development of such new urban expansion that is logical, desirable and in conformance with the objectives and policies of the General Plan; and 8) provides and protects open space in accordance with the policies of the General Plan.

Section 3. Based on the findings set forth in this Resolution, the CEQA Resolution, and the evidence in the Staff Report, the Planning Commission hereby recommends to the City Council adopt an Ordinance implementing the suggested amendment to the Lathrop Zoning Map. This document shall be substantially in the form on file with the City Clerk.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lathrop does hereby recommend City Council approval of an Ordinance to amend the Lathrop Zoning Map, relating to the Singh Petroleum Project, as shown in Attachment 11 of the Planning Commission Staff Report and incorporated herein by reference.

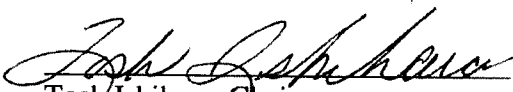
PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a Regular Meeting on the 15th day of May, 2024 by the following vote:

AYES: Ishihara, Ralmilay, Camarena, Jackson, Rhodes

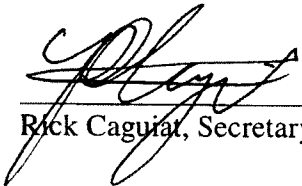
NOES: None

ABSENT: None

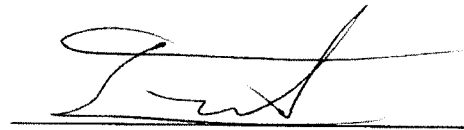
ABSTAIN: None


Tosh Ishihara, Chairman

ATTEST:


Rick Caguiat, Secretary

APPROVED AS TO FORM:


Salvador Navarrete, City Attorney

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 24-9**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING THE CITY COUNCIL TO APPROVE THE CONDITIONAL USE
PERMIT AND SITE PLAN REVIEW FOR THE SINGH PETROLEUM PROJECT
(CUP-20-62 AND SPR-20-63)**

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing to consider the Conditional Use Permit and Site Plan Review pursuant to the Lathrop Municipal Code; and

WHEREAS, the Singh Petroleum Project includes General Plan Amendment No. GPA-20-60, PreZone No. REZ-20-61, Conditional Use Permit No. CUP-20-62, Site Plan Review No. SPR-20-63, and Annexation No. ANX-20-64); and

WHEREAS, the request is for approval of a Conditional Use Permit and Site Plan Review for the development of a Travel Center, consisting of a gas and diesel fueling facilities, a 16,668 sq. ft. travel center building include two (2) Quick Service Restaurants (QSR) with one (1) drive through, a 13,846 sq. ft. full service 4-bay truck and automobile repair shop, off-street parking for passenger vehicles and commercial trucks, and supporting infrastructure in two (2) phases of development (the proposed Project); and

WHEREAS, the properties are located at 169 W. Manilla Road and 11296 S. Manthey Road and (APNs: 191-250-06 and 191-250-14, respectively); and

WHEREAS, prior to recommending approval of the CUP and SPR, the Planning Commission adopted a Resolution, recommending that the City Council adopt a Resolution Certifying the Final Environmental Impact Report (Final EIR), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, before recommending approval of the CUP and SPR, the Planning Commission reviewed and considered the information contained in the Final EIR for the Singh Petroleum Project (SCH #2022120596), and finds that mitigation measures identified in the Final EIR have been imposed on and incorporated in the Singh Petroleum Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, that specific economic, social and other considerations make infeasible the project alternatives that would avoid or mitigate the environmental impacts and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated; and

WHEREAS, the Planning Commission finds that the proposed Project is consistent with the Freeway Commercial (FC) land use goals and policies of the City of Lathrop General Plan and is also consistent with the development standards for the CH, Highway Commercial Zoning District; and

WHEREAS, property notice of this public meeting was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about May 2, 2024, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed the City's Public Hearing subscribers and interested parties and posted at three locations accessible to the public and the City website; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE BE IT RESOLVED, the Planning Commission of the City of Lathrop does hereby make the following findings:

1. Conditional Use Permit Findings. Pursuant to Section 17.112.060 of the Lathrop Municipal Code (LMC), the Planning Commission finds as follows:
 - a. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right. *The proposed Project is consistent with the CH, Highway Commercial Zoning District development standards, including but not limited to building height, setbacks, landscaping, off-street parking requirements, and architectural design.*
 - b. That the proposed location of the conditional use is in accordance with the objectives of the zoning code and the purposes of the district in which the site is located. *The proposed Project is located at the southwest corner of Roth Road and S. Manthey Road, a location that is designated for freeway commercial uses in the City's General Plan. The proposed Project results development of freeway supporting uses (i.e., travel center and gasoline facilities) adjacent to I-5, which is a major travel facility.*
 - c. That the proposed use will comply with each of the applicable provisions of the LMC, as amended. *As noted above and as described in the Staff Report, the proposed project is a permitted use in the CH, Highway Commercial Zoning District and is consistent with the applicable provisions in the LMC, including landscape and screening requirements.*

2. Site Plan Review Findings. Pursuant to Section 17.100.050 of the Lathrop Municipal Code (LMC), the Planning Commission finds as follows:
 - a. The proposed Site Plan Review complies with all applicable provisions of Chapter 17.100;
 - b. The proposed Site Plan Review is consistent with the site improvements listed in Chapter 17.100 (a. through i.) and improvements are such that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected and there will not be adverse effects on surrounding properties;
 - c. Proposed lighting for the project area is so arranged as to deflect away from adjoining properties; and
 - d. The proposed Site Plan Review is compatible with surrounding land uses and will not be detrimental to the health, safety and general welfare of the City as further evaluated in the Final EIR. Mitigation measures identified in the Final EIR have been imposed on and incorporated in the Singh Petroleum Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, that specific economic, social and other considerations make infeasible the project alternatives that would avoid or mitigate the environmental impacts and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated.

BE IT FURTHER RESOLVED, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, the Lathrop Planning Commission does hereby recommend that the Lathrop City Council approve Conditional Use Permit No. CUP-20-62 and Site Plan Review No. SPR-20-63, subject to the Conditions of Approval listed in Attachment 7 and project plans provided in Attachments 8 and 9 of the Planning Commission Staff Report and incorporated by reference herein.

PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a Regular meeting on the 15th day of May, 2024 by the following vote:

AYES: Ishihara, Ralmilay, Camarena, Jackson, Rhodes

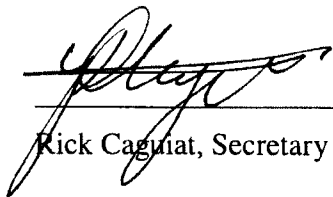
NOES: None

ABSENT: None

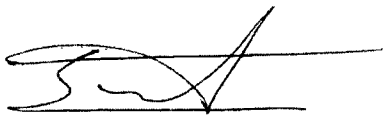
ABSTAIN: None


Tosh Ishihara, Chair

ATTEST:


Rick Caguiat, Secretary

APPROVED AS TO FORM:


Salvador Navarrete, City Attorney

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 24-10**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
RECOMMENDING CITY COUNCIL TO AUTHORIZE CITY STAFF TO SUBMIT AN
APPLICATION FOR ANNEXATION OF THE SINGH PETROLEUM PROJECT AREA
(ANX-20-64)**

WHEREAS, the Singh Petroleum Project includes General Plan Amendment No. GPA-20-60, PreZone No. REZ-20-61, Conditional Use Permit No. CUP-20-62, Site Plan Review No. SPR-20-63, and Annexation No. ANX-20-64); and

WHEREAS, the proposed project includes the development of regional travel serving uses constructed in two (2) phases consisting of gas and diesel facilities for passenger and commercial vehicles, a 16,668 sq. ft. travel center building that includes a convenience market, driver amenities, and two Quick Service Restaurants (QSR) with one drive-through, a 13,846 sq. ft. 4-bay full service truck and automobile repair facility, and off-street parking for motorists and commercial truck operators on a combined 19.63-acre project site; and

WHEREAS, the properties are located at 169 W. Manilla Road and 11296 S. Manthey Road and (APNs: 191-250-06 and 191-250-14, respectively);

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on May 15, 2024, to consider Annexation of the Singh Petroleum Project area, a total Annexation area of 22.42-acres; and

WHEREAS, prior to recommending approval of the Annexation relating to the Singh Petroleum Project, the Planning Commission adopted a Resolution, recommending that the City Council adopt a Resolution Certifying the Final Environmental Impact Report (Final EIR), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Plan for the Singh Petroleum Project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, before recommending approval of the Annexation relating to the Singh Petroleum Project, the Planning Commission reviewed and considered the information contained in the Final EIR for the Singh Petroleum Project (SCH #2022120596), and finds that mitigation measures identified in the Final EIR have been imposed on and incorporated in the Singh Petroleum Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, that specific economic, social and other considerations make infeasible the project alternatives that would avoid or mitigate the environmental impacts and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated; and

WHEREAS, prior to recommending adoption of the Annexation relating to the Singh Petroleum Project, the Planning Commission has independently reviewed and considered all written evidence and oral testimony presented to date, City staff reports and all information received at the duly noticed public hearing, all of these documents and evidence of which are incorporated herein by reference; and

WHEREAS, the Planning Commission finds the 22.42-acre Annexation to be consistent with the adopted 2022 Lathrop General Plan, which was adopted on September 19, 2022; and

WHEREAS, the annexation area is a logical extension of the City's boundary, utilities and City services can serve the property, and no unincorporated county "island" will be created; and

WHEREAS, property notice of this public meeting was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about May 2, 2024, mailed the public notice to notify property owners located within a 300-foot radius from the project site boundary, emailed the City's Public Hearing subscribers and interested parties and posted at three locations accessible to the public and the City website; and

WHEREAS, the Planning Commission has utilized its own independent judgment in adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lathrop does hereby recommend City Council approval of the Annexation of the 22.42- acres of land described above and authorize City staff to submit an annexation application with the San Joaquin County Local Agency Formation Commission. The annexation territory as described in this Resolution is further described in Attachment 12 of the Planning Commission Staff Report, incorporated herein by reference.


PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a Regular Meeting on the 15th day of May, 2024 by the following vote:

AYES: Ishihara, Ralmilay, Camarena, Jackson, Rhodes

NOES: None

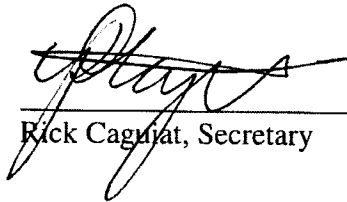
ABSENT: None

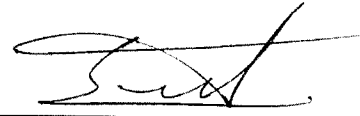
ABSTAIN: None


Tosh Ishihara, Chairman

ATTEST:

APPROVED AS TO FORM:


Rick Cagniat, Secretary


Salvador Navarrete, City Attorney

DOUGLAS J. RISHWAIN
A Professional Law Corporation
THE FOUNTAINS
3031 WEST MARCH LANE, SUITE 112 SOUTH
STOCKTON, CALIFORNIA 95219
TELEPHONE: (209) 472-9100

Facsimile: (209) 951-8228

Email: doug@rishwainlaw.com

June 4, 2024

Rick Caguiat, Director
Community Development Department
City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

JD Hightower, Executive Officer
San Joaquin LAFCo
44 N. San Joaquin Street, #374
Stockton, CA 95202

Re: Request for Annexation to the City of Lathrop re APN#s: 191-250-07, 191-250-09, & 191-250-10 Adjacent to the Singh Petroleum Investments Proposed Annexation

Mr. Caguiat & Mr. Hightower,

I represent Elisa J. Aquino, individually and as trustee of the Elisa J. Aquino Living Trust. Ms. Aquino is the owner of three parcels of real property currently located in San Joaquin County, namely: APN #s: 191-250-07, 191-250-09, and 191-250-10. Ms. Aquino's said three parcels are adjacent to the Singh Petroleum Investments proposed annexation to the City of Lathrop.

Ms. Aquino hereby requests that her three said parcels be included in the proposed annexation boundary associated with the Singh Petroleum Investments Project. She understands the Lathrop City Council is expected to take action on the Singh Petroleum Investments project on July 8, 2024. Thereafter, the next step in the annexation process is to go before the San Joaquin Local Agency Formation Commission (LAFCO) for final approval. Ms. Aquino further understands an Annexation Map will be prepared as part of the application package the city of Lathrop will convey to the LAFCO staff. Said Annexation Map will identify the properties subject to annexation to the City of Lathrop. Accordingly, Ms. Aquino understands the benefits of her parcels being annexed into the city of Lathrop, and she requests and consents that her three above-described parcels be included as part of the annexation boundary.

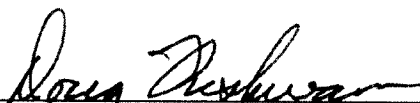
Please direct your future correspondence and communications on behalf of Ms. Aquino to my office. Additionally, please include my office on any notices and/or other communications concerning the above-described Singh Petroleum Investments Project and the proposed annexation.

Page Two
June 4, 2024

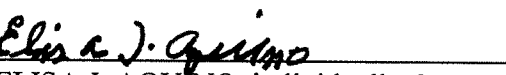
If you have any questions, please do not hesitate to contact me. I look forward to working with both of you.

Very truly yours,

DOUGLAS J. RISHWAIN
A Professional Law Corporation

BY: 
DOUGLAS J. RISHWAIN

I, Elisa J. Aquino, have read the above correspondence prepared by my attorney, Douglas J. Rishwain, and I agree to the contents and requests stated therein.

BY: 
ELISA J. AQUINO, individually & as
Trustee of the Elisa J. Aquino Living Trust

Dated: June 4, 2024